

REPORT

OF THE

GOVERNMENT OF INDIA SECRETARIAT COMMITTEE



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FROM

THE CHAIRMAN AND MEMBERS OF THE
GOVERNMENT OF INDIA SECRETARIAT
COMMITTEE,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

Dated New Delhi, the 10th March, 1936.

SIR,

In accordance with the Home Department Resolution No. F.-154-35, dated the 3rd October 1935 we have the honour, on completion of our enquiries, to submit our Report upon the different points referred to us.

CHAPTER I.—INTRODUCTORY.

2. *Terms of reference.*—The terms of the reference to our Committee were as follows:—

(1) to examine—

- (a) the system under which officers are at present obtained for the superior posts (Secretary, Joint, Deputy and Under Secretaries) in the Government of India Secretariat.
- (b) the method of office procedure, and
- (c) so far as may be necessary in connection with (a) and (b) above, the organisation of the clerical staff; and

(2) to recommend such changes as are required to secure the more efficient and expeditious despatch of public business, particularly under the constitution which will be established under the new Government of India Act.

A somewhat similar enquiry in 1919, presided over by Sir H. Llewellyn Smith, preceded the enactment of the Government of India Act of 1919, and speaking generally may be said to have covered, in the light of the circumstances of that day, the ground indicated in points (1) (b) (c) and (2) above, but with the matters raised in point (1) (a) our predecessors were not asked to deal, presumably because the problems connected with them were not at that time acute, a fact which is not without significance. For the reasons, however, indicated later in Chapter II, it seems to us that it is this question of the recruitment of officers to the Central Secretariat which presents the most serious difficulties, and we have accordingly devoted our attention primarily to its consideration.

3. *Procedure of the Committee and general observations.*—We assembled at Bombay on the 10th November 1935, and made our headquarters at New Delhi. We have however paid visits to Bombay Allahabad Patna

Calcutta, Madras and Lahore, and examined in consultation with the Heads and Members of the respective local Governments and their Secretariats both those questions arising out of our enquiry in which the provinces are directly concerned and details of procedure in the provinces which, although not specifically our affair, might possibly throw some light on the work of the Government of India. Representatives of Assam and the Central Provinces Governments were good enough to meet us at Calcutta and Delhi respectively. We have not thought it necessary to trouble the Government of the North-West Frontier Province, while in view of its impending separation we have regarded Burma as outside the scope of our enquiry.

At headquarters we have had the benefit of personal discussion with the Members of the Central Government together with its Secretaries and some of its Joint Secretaries, Deputy and Assistant Secretaries. We have also met the Heads of certain Attached Offices (*e.g.*, the Central Board of Revenue and the Public Service Commission), the Auditor-General and representatives of certain Service Associations (*e.g.*, Indian Civil Service, Audit and Accounts, and Customs). In all we have, as a Committee, had conversation with some 110 individuals. We have further personally visited some departments of the Secretariat.

As did our predecessors, we have conducted our proceedings on the informal basis of personal discussion, although various valuable written memoranda have been supplied to us and much information given in writing in answer to our requisitions.

As also did our predecessors, we have been afforded everywhere and from all ranks the most willing and ready assistance which we wish most gratefully to acknowledge.

Lastly, and again equally with our predecessors, we trust that none of our remarks will be taken to imply a failure to recognise the high standard of work attained by the many able officers of the Secretariat.

4. Having regard to the extent to which the scope of our enquiries overlaps that of the Llewellyn Smith Committee, we have thought it useful in some ways to take up our review at the point at which it was then left. The picture drawn by our predecessors in para. 6 of their report of the conditions in which work in the Secretariat of the Government of India is carried on is broadly true of the present day, and we do not attempt once more to draw it. The difficulties of geography, climate and race remain, and are likely to remain, unchanged, entailing similar consequences in respect of the procedure and methods followed, but in certain directions there have been most noticeable developments, and these it is desirable to emphasise at the outset.

5. *Volume of work in the Government of India.*—In a country of the size and diversity of India, the work of the Central Government, whether under the existing system, Provincial Autonomy or Federation, must always remain onerous and complex. It was noted by the Secretariat Committee of 1919 (para. 53) that to the extent of about nine-tenths of their work, the Government of India were engaged in dealing with cases coming to them from outside, and to the extent of rather more than a half with work coming up from the provinces. The subsequent relaxations of financial and administrative control as between the Central and provinces, following on the Act of 1919, must have greatly reduced the number of provincial references, and while the cases coming before the

Central Government are still mainly initiated outside it, and in their practical bearing touch many aspects of provincial life, they tend more and more to be concerned with Departments and subjects under the direct administration of the Government of India. However, even allowing for a diminution in the direction indicated, work has increased remarkably since 1919. The political changes of 1919 inevitably resulted in a quickening of activity in such matters as Agriculture and Research: Labour legislation, the affairs of Indians overseas, and the enquiries of the League of Nations and the International Labour Organisation have become prominent: revisions of tariffs in pursuance of the policy of discriminating protection to industries, intervention in specific industries (*e.g.*, tea, lac, rubber and coffee) and the development of commercial intelligence have received increasing attention: new subjects have come to the front in connection with publicity, broadcasting, civil aviation, the Indian Stores Department and the Public Service Commission, while internal politics have added materially to the labours of the Home Department. The administration of income-tax and the control of the major ports have also been centralised. The discussion of political reforms, following on the Simon Commission and culminating in the Government of India Act of 1935, has affected every Department, while the elaboration of administrative changes consequent on that Act and the future contingency of Federation have produced and will continue to produce, innumerable problems.

In fact nothing could illustrate this point more strikingly than the enumeration (*vide* Appendix II) of the different Attached Offices which have come into being since 1919 in order either to cope with entirely new developments or to enable increasing attention to be given to older subjects which have assumed increasing importance. It will be seen that they total no fewer than nine.

The reactions of these developments are obvious, and the facts are strikingly borne out by a comparison of the superior secretariat staff of the Government of India in 1900, 1919 and at the present time, which shows the following results:—

Year.	Departments.	Number of					
		(b) Members.	Secretaries and Additional Secretaries.	Joint Secretaries.	Deputy Secretaries.	Under Secretaries.	Assistant Secretaries.
1900	7	6	7	1	9	9	12
1919 (a)	9	7	11	1	9	8	12
1935	9		0 (c) (d)	7(d)	12 (d)	7 (d)	15 (c) (d)

(a) Paragraph 69 of the Report of the Llewellyn Smith Committee.

(b) The Foreign and Political Department is in the direct charge of H. E. the Viceroy: the Departments of Education, Health and Lands and the Imperial Council of Agricultural Research are in charge of the same Member.

(c) The Reforms Office which is on a temporary basis is not included; neither are the Secretary and Assistant Secretary to the Legislative Assembly Department which is on a special footing.

(d) The Railway Department, the Imperial Council of Agricultural Research, the Central Board of Revenue, and the Military Finance Department, are not included. In these four Departments, there are at present 4, 4, 13, 6 and 7 officers with the status of Secretary, Joint, Deputy, Under and Assistant Secretary respectively.

One post of Secretary, 5 posts of Joint Secretary, 3 posts of Deputy Secretary, 2 posts of Under Secretary and 1 post of Assistant Secretary are at present temporary.

Taking the statement of what may be called the departments proper the noticeable points are the additions to the number of Joint, Deputy and Assistant Secretaries and the decrease in the number of Under Secretaries. If what may be regarded (without offence) as the secondary departments are included, the figures are even more striking. It is true that various posts are temporary, but unless created specifically for a particular job (*e.g.*, the Reforms Office) temporary appointments have a tendency to crystallise into permanencies.

Under Federation there is little or no hope of a reduction in the demand for officers. There will almost certainly be more Ministers than the existing Members (*vide* section 9 of the Act of 1935), and although there may be adjustments between Secretaries and Joint Secretaries, the net result will probably be some increase in staff. Again new offices will come into being *e.g.*, those of Counsellors, Financial Adviser, the Federal Railway Authority, the Federal Court and the Governor-General's Secretariat, all requiring staffs of their own.

While too such temporary offices as Reforms have been excluded, it is to be remembered that temporary requirements of one kind and another frequently recur.

Equally noticeable are the figures for the permanent clerical cadres of the Secretariat and Attached Offices.

Secretariat.

	*1919.	1935.	Percentage increase.
Superintendents	48	56	16.66
Assistants	211	292	38.39
Clerks	321	297†	49.53
Stenographers	36	183 (b) } 61	69.17

Attached offices.

	1919.	1935.	Percentage increase.
Superintendents	10	42	320
Assistants	71 + 215 } (c) } 324	212	
Clerks	38	313† } 172 (b) } 697	115.10
Stenographers	7	50	614.30

* Paragraph 50 of the report of the Llewellyn Smith Committee.

† 2nd Division Clerks.

(b) 3rd Division Clerks.

(c) This represents the staff of assistants and clerks in the office of the Director-General, Posts and Telegraphs. Figures showing their numbers separately are not available.

In other words, the total clerical establishment in the Secretariat has increased from 616 to 889 or by 44·32 per cent. and in the Attached Offices from 341 to 789 or by 131·38 per cent. since 1919.

6. *The proceedings of the Central Legislature.*—The extent to which the proceedings of the Council of State and Legislative Assembly now loom in the life of the Government of India is well known. The resulting preoccupation of the time of the Secretariat is manifest, and we were informed that while these bodies are in session the disposal of current business is seriously retarded.

With the introduction of Provincial Autonomy there should follow an appreciable reduction of business under the head of resolutions and questions dealing with matters of provincial concern, and a much needed relief to the Secretariat will thereby be afforded. On the other hand, in the enlarged legislative bodies which will come into being with Federation, business will presumably tend to be prolonged, and even while Secretaries and Joint Secretaries will acquire greater freedom when they cease to be members, they will, on occasion, have to be in constant attendance. Again, under the new conditions their services may be requisitioned to a greater extent than now in connection with publicity. Immediately, however, the pressure of Council work should lessen.

7. *Character of work in the Government of India.*—But apart from the actual volume of work, there has been a significant alteration in its general character. Prior to 1921 the Government of India, working through the Provincial Governments, supervised and directed the whole field of administration. It prescribed the main outlines of policy and scrutinised its application, subject, of course, to the directions of the Secretary of State. The Reforms of 1919 inaugurated a definite provincial responsibility in certain extensive fields. The important subjects of Education, Medical Administration, Public Health, Local self-government, Roads and Buildings, Agriculture, Civil Veterinary Department, Co-operative Societies, Industries, Excise, Registration and Religious and Charitable Endowments* were transferred to the control of Ministers. Even in the Reserved Departments, following on considerable financial and administrative delegations, the tendency has been for the Government of India to intervene more rarely. The division of responsibility thus became vertical rather than horizontal, and while, as already noticed, the functions of the Government of India vitally affect the interests of the provinces, they are more particularly their own concern. Relations with the provinces are coming to be concentrated more and more in the spheres of law and order, labour and finance except in so far as the endeavour is made to co-ordinate provincial activities in matters of all-India interest though of individual provincial responsibility. The need for such co-ordination has already been felt. A Central Advisory Board of Education and a Bureau of Industrial Intelligence and Research have recently been established, and Co-operative and Industries Conferences have been revived. It is to be noted that under Provincial Autonomy the need of such co-ordination is likely to be more marked, and we were informed that proposals for the creation of Advisory Boards for Public Health and Co-operation would shortly be considered.

8. *Reactions of Provincial Autonomy on the work of the Government of India.*—The all important change to be brought about in the near

* In two provinces Forests also.

future by the Act of 1935 is the introduction of Provincial Autonomy in place of the dyarchical system of the Act of 1919, and we have, therefore, examined in some detail the reactions of this innovation on the work of the Central Government.

At first sight it would appear that the advent of Provincial Autonomy must mean a substantial curtailment of the work now devolving upon the Government of India, and it was with some initial surprise that we heard the unanimous testimony of the Secretaries to that Government that they did not anticipate any such degree of relief. We accordingly went through with these officers each item in the present distribution* of business, and were forced eventually to the conclusion, unexpected as that might be, that in general their surmise was likely to be accurate. The work of the Defence, Foreign and Political, Railway and Ecclesiastical Departments is obviously not affected by the inauguration of Provincial Autonomy, except that in the Political Department it will be increased now that all States are in direct relation with the Government of India (the intervention in some instances of a local Government having been eliminated) and difficult and possibly protracted negotiations in connection with Federation are to be anticipated. In connection with these Departments, therefore, we do not propose to enter into further detail, but in Appendix III we have enumerated† in respect of each Department (other than Home) the subjects which will obviously not be touched by Provincial Autonomy, and as regards the rest have added explanations‡ of our view that even in their case the same result is in the main probable. The position in the Home Department is described in a short note§ leading to the same conclusion. If this anticipation is correct, it follows that no great measure of relief to the Government of India is to be expected on this account.

* Rules of Business No. 1.

† Part A.

‡ Part B.

§ Part C.

CHAPTER II.—RECRUITMENT TO THE GOVERNMENT OF INDIA.

9. *The system of recruitment to the Government of India.*—In order to find officers for the discharge of these duties, the Government of India have to supplement the personnel of the Central Services by indent upon the provinces, and in Appendix IV, will be found a statement of appointments ordinarily held by members of the Indian Civil Service, together with the pay of each. These are divided into posts for the occupancy of which a definite term is set (Part I) and those for which no such tenure is laid down (Part II). The theory is that adequate provision is made for these posts in the different provincial cadres both by specific provision for so many superior posts at the Centre, and by the addition to each provincial cadre of a definite reserve of 7 per cent. of the provincial superior posts for direct recruitment in order to provide for temporary posts, deputation proper and foreign service, whether under the Imperial or particular Provincial Government.

Provision under both heads carries with it an addition for inferior duty posts at the rate of 38·7 per cent. of the superior posts, whereas the requirements of the Government of India in the matter of inferior posts are as follows:—

- 4 Under Secretaries.
- 3 Assistant Collectors of Customs.
- 4 posts in Class I of the General List of the Indian Audit and Accounts Service.

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Since it was decided in 1932 to abolish the last 4 posts as they fell vacant and as deputations of officers on the junior scale are infrequent, the reserve should normally suffice, but for the short recruitment in recent years (*vide* para. 10) and the reduction in the number of provincial Under Secretaries which has rendered fewer men available with previous Secretariat experience.

In respect of superior duty posts under the first category, provision is made for 58 superior appointments (indicated by asterisks in Appendix IV) which are borne on the provincial cadres in proportion to the strength of the Service in each province, the details of allotment are indicated below*.

* Madras	.	.	.	.	.	.	.	.	.	.	8
Bombay	.	.	.	.	.	.	.	.	.	.	7
Bengal	.	.	.	.	.	.	.	.	.	.	8
United Provinces	.	.	.	.	.	.	.	.	.	.	9
Punjab	.	.	.	.	.	.	.	.	.	.	7
Burma	.	.	.	.	.	.	.	.	.	.	8
Bihar and Orissa	.	.	.	.	.	.	.	.	.	.	5
Central Provinces	.	.	.	.	.	.	.	.	.	.	4
Assam	.	.	.	.	.	.	.	.	.	.	2

In actual practice, however, the number of officers of the Indian Civil Service employed under the Government of India is much larger. For instance, in 1935, 33 officers were employed in superior posts in the Political Department against the provision of 29 posts included in the above total.

There are moreover certain other permanent superior posts not borne on the cadre of the Indian Civil Service which are not infrequently held by members of that Service, *e.g.*, posts of Member, Central Board of Revenue, some posts of Commissioner of Income-tax, Director-General, Posts and Telegraphs, Deputy Director-General, Posts and Telegraphs, Commissioner, Northern India salt Revenue, Deputy Indian Trade Commissioner, London, Indian Trade Commissioner, Hamburg, Deputy Auditor-General, Secretary to the Government of India, Defence Department, and one post of Post-master General. The number of such extra-cadre posts held by the Indian Civil Service in 1935 was 22.

The provincial deputation reserve, calculated on the basis of 599 superior posts for direct recruitment is 42. Figures for 1935 show that there were 12 officers of the Indian Civil Service employed in temporary superior posts under the Government of India. Statistics of officers serving in temporary superior posts under the local Governments or on foreign service in 1935 are not readily available, but the number of such officers in 1932 was approximately 60. We doubt if there has been a reduction in this number since, and we therefore assume the same figure for 1935.

It will thus be seen that, while the provincial Indian Civil Service cadres contain provision for 58 superior posts under the Government of India and 42 officers for the deputation reserve, according to our calculations, 156* officers were employed either in permanent or temporary superior posts under the Government of India, temporary posts under the Local Governments or on foreign service in 1935.

Put in another way, the number of Indian Civil Service officers employed under the Government of India either in permanent or temporary superior posts in 1935 was 96, while the number of I. C. S. officers employed in temporary posts under the Local Governments and on foreign service was 60, making a total of 156 in comparison with a cadre provision under both categories of 100. In other words, the provision in the different cadres is quite inadequate to meet the actual demands, and this feature has persisted over a series of years.

* 33 officers in superior posts in the Foreign and Political Department.

29 officers in superior posts (other than those in the Foreign and Political Department) under the Government of India borne on the cadre of the I. C. S.

22 officers in permanent superior posts under the Government of India not borne on the cadre of the I. C. S.

12 officers in temporary superior posts under the Government of India.

60 officers in temporary superior posts under local Governments or on foreign service.

The way in which this discrepancy has hit the different provinces is shown below:—

Province.	Provision in the cadre for superior Government of India posts.	Deputation reserve calculated on the number of provincial superior posts.	Total.	Number of officers with the Government of India in 1935.
Madras	8	6	14	13
Bombay	7	5	12	5
Bengal	8	6	14	10
United Provinces	9	7	16	18
Punjab	7	5	12	22
Burma	8	5	13	4
Bihar and Orissa	5	4	9	11
Central Provinces	4	3	7	10
Assam	2	1	3	3
	58	42	100	96

Since the provinces have to meet also their own temporary needs out of the total provision of 100, it is obvious that very little margin has been left to them for the purpose, and, as already mentioned, the requirement of all provinces on this account is normally about sixty.

10. *Special factors affecting recruitment in recent years.*—In considering these figures, however, the following further facts have to be borne in mind:—

(a) Since 1920 all provinces have been subject, over and above the normal casualties, to a considerable drain in the shape of retirements on proportionate pension. Details are given in Appendix V, but the total number so lost is 167. Although such losses were actually larger in the earlier years, it is noticeable that they still continue. All provinces have suffered, but in proportion to their cadre strength, Bengal and (to a less extent) Bombay seem to have been hardest hit.

(b) For some years past—noticeably since 1931-32 and in the War years 1915—1918—recruitment to the Indian Civil Service has been anything but satisfactory either in respect of the total number obtained or since 1925-26 (on a fifty fifty* basis) of the number of British recruits secured. Details since 1914 are given in Appendix VI, and the figures speak for themselves. During this period there was a total shortage of 80 on the present sanctioned strength of the Indian Civil Service. Since 1925-26, 256 British recruits only have been secured against 322 Indians.

This point is of particular importance in connection with the recruitment for the Political Department, which ordinarily asks for British officers and retains them permanently. Its requirements from the Indian Civil Service are ordinarily two officers each year and three every third

* This basis was adopted in 1925-26 following the recommendations of the Lee Commission.

year. In 1935 there were 33 such officers serving the Department who had been drawn from the provinces shown below*.

Since 29 superior Political appointments are borne on the provincial cadres, the Department can at least plead that they have not asked for very much more than their provision, but the special elements in their case are the demand for British officers and their permanent retention when obtained. The United Provinces and the Punjab have suffered noticeably from such demands, and in both much stress was laid upon the fact that the provinces were being deprived of the services of capable junior British officers just when they were especially needed in connection with local requirements owing, among other things, to communal troubles. It is to be remembered, however, that a demand for a larger measure of Indianisation in the Department has already been voiced in the Central Legislature and is likely under Federation to be heard again.

(c) The difficulties arising from the shortage in the cadre are accentuated by the marked divergencies between the actual and theoretical distribution of officers at certain stages of service. There is a large demand for men between 12 and 23 years' service for filling Secretariat and other superior posts both in the Government of India and the provinces, but it will be seen from Appendix VII that there are only 328 officers of this category available against the theoretical figure of 407. The deficit is spread over all provinces except the Central Provinces and Assam, but it is particularly heavy in the United Provinces and the Punjab. The shortage of officers between 18 and 23 years' service is even more acute, the actual and theoretical figures being 136 and 197 respectively. Taking the provinces together, the state of the cadre with regard to men between 12 and 17 years' service is not so unsatisfactory, the actual number being only 17 short of the theoretical number, but this is due to the fact that the excess over the theoretical number in Madras, Bengal and the Central Provinces is set off against the deficit in Bombay, the United Provinces, the Punjab and Assam. It is hardly necessary to analyse the figures further, for it is clear that the ill-balanced state of the cadre is adding for the time being to the difficulties of several local Governments not only in suitably manning some of their own superior posts, but also in supplying men to the Government of India, particularly for Joint and Deputy Secretaryships and other posts of a similar status.

11. *Previous discussions regarding recruitment.*—Given these facts, it is obvious that any system of recruitment for the needs of the Government of India by drawing upon the provincial cadres must be surrounded by innumerable difficulties, and equally obviously the Government of India must have been fully conscious of them. Indeed they were discussed with local Governments in 1927—29 and again in 1933-34. We do not recapitulate the course of these correspondences of which the Government of India are well aware. Suffice it to say that, apart from

*Madras	.	.	.	.	.	.	.	3
Bombay	.	.	.	.	.	.	.	1
Bengal	.	.	.	.	.	.	.	2
United Provinces	.	.	.	.	.	.	.	7
Punjab	.	.	.	.	.	.	.	12
Bihar and Orissa	.	.	.	.	.	.	.	4
Central Provinces	.	.	.	.	.	.	.	3
Assam	.	.	.	.	.	.	.	1

minor changes in methods of calculation, nothing was actually done, the discussions being complicated by doubts as to the result of reducing the total required under the heads of leave and training, possible alterations in the system of recruitment for the Foreign and Political Department, the possible cessation of recruitment from the I. C. S., for the Audit and Accounts, Posts and Telegraphs and Income-Tax Departments and motives of economy. Further, the practical difficulties which were being experienced in securing the numbers needed annually for the Indian Civil Service as a whole made the theoretical raising of the deputation reserve of subsidiary importance. The soundness of the whole system of recruitment for the Indian Civil Service has in fact been occupying the attention of the Government of India and local Governments since 1932, and is still the subject of correspondence with the Secretary of State.

12. *Vital importance of bringing the Indian Civil Service up to strength.*—We would emphasise that this problem is the predominant factor in the whole question which has been referred to us. It involves political considerations upon which we are not called upon to pronounce, but until a solution is found and the Indian Civil Service is restored to a position in which it is numerically strong enough to satisfy the various demands upon it, it is impossible to expect a way out of existing difficulties by modifications in the details of the selection of recruits. If the men are not available, no paper scheme will produce them.

The alternative of seeking other sources of supply is discussed below (para. 19).

13. *Complaints of provinces.*—The unanimous testimony of the different departments of the Government of India as to the great difficulties experienced in recent years in obtaining officers from the provinces has its counterpart in the equally unanimous complaints of the provinces as to the undue strain which is being placed upon their cadres in the endeavour to meet the requirements of the Central Government. The provincial grievances were voiced practically* everywhere in very similar terms and may be summarised as follows:—

- (a) that they were required to find men in excess of the provision in their cadres for the purpose, and that the burden was not equally distributed between different local Governments:
- (b) that they were asked by the Foreign and Political Department in particular to give up an undue proportion of British officers:
- (c) that there was an increasing tendency on the part of the Government of India to retain the men who were supposed to be lent to them for a term; in other words that the theory of the interchangeability of officers was breaking down:
- (d) that they were bombarded at irregular intervals by different departments of the Government of India with requests for men to the detriment of their own administration.

With the first two points we have already dealt and it is undoubted that a real and substantial grievance exists except, in regard to the first

* In Bombay only was the allegation made that the province was under represented in the Central Secretariat.

point, in the Central Provinces. That province has not so far been embarrassed by being required to supply men to the Government of India in excess of the provision in its cadre, since owing to the abolition of certain superior posts as a measure of retrenchment the actual strength of the cadre at present exceeds the sanctioned strength by 10. We deal with the fourth point in para. 27.

14. *Theory of the tenure system.*—As regards the third point, it has already been noted that not all posts under the Government of India are governed by the rule of tenure, the exceptions for the most part being found in the Foreign and Political, Indian Audit and Accounts, Posts and Telegraphs, Customs and Income-Tax Departments. Men once joining these services are ordinarily lost to their provinces of origin for good.

The imposition of a limit to the occupancy of certain appointments has long been a feature of Indian administration, and the posts governed by it range from that of Governor-General and Member of Council to such junior ranks as those of Under Secretaries. The rule obtains both in the Government of India and in the provinces, and in Appendix VIII we give details of the terms in force in the provincial Secretariats together with brief notes as to the extent to which they are actually observed. It will be noticed that the principle obtains generally except in Bihar and Orissa (for Secretaries, though in practice, a maximum of four years has been applied), the Central Provinces and Assam (where the smallness of the cadre presents special difficulties). Further the tenure laid down is ordinarily three years (four in the Punjab), though in individual cases officers have served for more protracted periods in the Secretariat. In that connection the experience of the United Provinces is interesting.

We do not recapitulate the history of the tenure system, as it has already more than once been placed on record. We merely note that, as applicable to the Imperial Secretariat, it dates from Lord Curzon's time in 1905: that it was re-examined in 1920 after the enquiry of the Llewellyn Smith Committee, who favoured a slight extension of the term, though no change was ultimately made, and again in 1935 when, pending the re-examination of the whole question by this Committee, the previous customary term of three years (ordinarily) was in some cases extended.

The arguments underlying the practice as enforced in the Secretariats may be summarised as follows:—

- (i) that it is desirable that officers of the Indian Civil Service should have a good grounding in district experience, bringing them into direct contact with the people, teaching them to assume responsibility and cultivating a sound judgment by the handling of a varied range of affairs:
- (ii) that it is not desirable that the officers who man the Imperial and Provincial Secretariats should be for too long divorced from the actual facts of administration in the provinces and districts; otherwise they are apt to become immersed in paper discussions and to lose touch with the practical bearing of the orders passed upon the lives and interests of the people:
- (iii) that the provinces benefit on the reversion of their officers loaned to the Government of India by the wider experience which their servants have gained:

- (iv) that with the strain imposed upon officers by secretariat work they may tend to grow stale if kept in the same employ for more than a certain time:
- (v) that in so far as secretariat work usually carried with it higher pay and other amenities (residence in the hills during the hot weather and possibly better prospects of promotion), it is conducive to the smooth working of the service as a whole that those members who show themselves qualified and capable should have a reasonable chance of a spell at headquarters: otherwise jealousies and discontent may be engendered, since secretariat work is only one aspect of the duties devolving upon the Service:
- (vi) that should an officer prove unsuitable for work of this description, the existence of a tenure facilitates his return to other lines.

On the other hand, the following considerations are urged with special reference to the Government of India Secretariat with which we are primarily concerned.

- (vii) that in the Finance and Commerce Departments of the Government of India, in particular, the increasing complexity of public affairs tended, and would tend still more in the future, to require officers to specialize in the subjects under their charge and demanded systematized measures for the recruitment, training and retention of an expert cadre:
- (viii) that analogous specialisation is admittedly necessary in the Legislative Department (the Foreign and Political Department is already specialised):
- (ix) that with the advent of Federation it is essential that Ministers at the Centre should, so far as it is practicable so to arrange, have available to them officers able to speak with knowledge, independence and authority, born of experience of the particular subjects in their charge:
- (x) that although it is true that the Central Administration in its ultimate effect will impinge on the Provinces (*cf.*, paras. 5 and 7 *supra*), yet the scheme of the future constitution is such that the executive and administrative authority of the Provinces and of the Centre are demarcated; and both as to legislative and administrative powers, the underlying idea of the new constitution is indicated by section 8 (1) of the Act of 1935. In Provincial matters, the executive authority of the Federation extends to matters with respect to which the Federal Legislature has power to make laws and does not, save as expressly provided, extend to matters with respect to which the Provincial Legislature has power to make laws. In the result, excepting in the matter of the Governor-General's special responsibilities, the field of concurrent legislation and the machinery for research and co-ordination, there are really separate fields of administrative jurisdiction, namely, Provincial and Central:
- (xi) that district experience has little direct bearing on matters like emigration and the interests of Indians overseas, and to

some extent labour problems, in addition to the topics dealt with by the Finance and Commerce Departments: further that in many subjects dealt with at the Centre, contact with the Legislature is of prime importance.

Before proceeding further, we think it would be useful to examine in some detail how, in fact, the existing arrangements have actually worked. We have accordingly scrutinised the records of the officers appointed to the Imperial Secretariat between 1919 (the date of the Montagu-Chelmsford Reforms) and 1935, and the results are summarised below.

15. *Practical working of the tenure system in the Imperial Secretariat.*—The following table shows the extent to which the tenure rule of 3 years has not been observed during that period.

Department.	No. of I.C.S. officers since 1919 who have occupied substantively the post of				No. of I.C.S. officers who occupied for more than 3 years and 3 months the post of			
	Secretary.	Joint Secretary.	Deputy Secretary.	Under Secretary.	Secretary.	Joint Secretary.	Deputy Secretary.	Under Secretary.
Home	6	6	8	7	3	1	1	1
Education	6	4	9	6	3	..	1	1
Health and Lands								
Commerce	8	5	6	3	1	..	..	..
Defence	4	..	4	1	3	..	2	..
Industries and Labour.	5	2	7	5	2	1	2	1
Finance	8	3	11	5	..	..	1	..
Foreign and Political.	Tenure rule does not apply.	3	12	2	..	..	..	..
Imperial Council of Agricultural Research.	..	..	2	..	..	..	..	..
Total	37	23	59	29	12	2	8	3

On the face of it, therefore, the rule was broken to the extent indicated below*, but, as regards Secretaries, in only 3 instances (one in the Education, Health and Lands Department and two in the Defence Department).

Notes.—1. The officers in the Reforms Office have been excluded from this statement as it is on a temporary basis.

2. The officers in the Legislative Department have been excluded, as prior to 1935 no tenure was laid down for posts in that Department.

	Percentage.
* Secretaries	32.4
Joint Secretaries	8.7
Deputy Secretaries	13.6
Under Secretaries	10.4

ment), and among Deputy Secretaries only in 4 cases*, was the extension for more than one year. There were two extensions of over 2 years [Defence Department 1 (Secretary) and Finance Department 1 (Deputy Secretary)]. Since an extension of a few months is not a very serious matter and perfectly legitimate reasons for it may easily be imagined, we think that it can be said that in most cases the rule has been followed in the main in respect of particular appointments.

16. But to the theory that an officer having gained wider experience under the Central Government carries it back with him to the benefit of his province of origin, there have been various noticeable exceptions.

Of 34 †Secretaries who have held that post since 1919, only 11 reverted to the provinces (4 as Governors of other provinces: 2 as Governors, 4 as Members of Council and 1 as Commissioner in their provinces of origin). 13 obtained other appointments under the Government of India, and 10 retired.

Of 20 †Joint Secretaries, only 5 reverted to their provinces. 11 were appointed as Secretaries and 3 to other posts under the Government of India, while one retired.

Of 44 †Deputy Secretaries 20 †reverted to their provinces. 2 became Secretaries, 8 Joint Secretaries, 6 Deputy Secretaries in other departments, and 5 joined other posts under the Government of India. 2 reverted to Central Services, and one retired.

Of 22 †Under Secretaries 8 reverted to their provinces. 9 became Deputy Secretaries, 1 an Under Secretary in another department and 2 went to other posts under the Government of India. 2 reverted to Central Services.

Out of ||21 officers holding tenure appointments in the Government of India Secretariat on the 31st October 1935, one has had over eight years' service at the Centre: 1 over eleven; 1 over fourteen and 1 over fifteen years. During 1919—1935, we note 3 cases of officers passing from one Secretaryship to another; 5 from one Deputy Secretaryship to another, and 2 cases of officers passing from a Joint Secretaryship in one department to a Secretaryship in another department. Also (not counting the Legislative and Foreign and Political Departments) 11 cases of officers going on from one secretariat post to another in the same department, and two of officers occupying successively four posts in the same department (Under Secretary, Deputy Secretary, Joint Secretary and Secretary) with little or no interval between them.

From these details we may perhaps draw the following broad conclusions:

- (a) Secretaries to the Government of India either obtain high posts (Governorships and Memberships of Council) or retire; they do not revert to the Provincial Secretariats:

* Home Department	.	.	.	.	.	1
Education, Health and Lands Department	.	.	.	.	.	1
Industries and Labour Department	.	.	.	.	.	1
Finance Department	.	.	.	.	.	1

† Present incumbents have been excluded.

‡ Two returned to the Government of India as Secretaries, 2 as Joint Secretaries and 1 as Deputy Secretary.

|| Two returned to Government of India as officiating Deputy Secretaries.

¶ Excluding the Foreign and Political Department and Reforms Office of which the circumstances are special and the Legislative Department to which the tenure rule has been applied only recently.

- (b) there is a distinct tendency to promote Joint Secretaries to be Secretaries: Deputy Secretaries to be Joint Secretaries and Under Secretaries to be Deputy Secretaries also for officers to hold on to successive secretariat posts in the same department:
- (c) of Joint Secretaries 25 per cent., of Deputy Secretaries 45·4 per cent. and of Under Secretaries 36·4 per cent. reverted to their provinces.

In other words, the complaint of the provinces that in a large number of instances they do not reap the benefit of the reversion of their officers lent to tenure posts is well founded, while some officers tend to do protracted spells of secretariat duty.

17. *Recommendations and conclusions.*—On the basis of the facts as thus set forth, we now submit our recommendations and conclusions regarding this aspect of our enquiry.

18. (a) *The system of recruitment.*—We are of opinion that the existing staffing of the Government of India Secretariat by officers drawn from the provinces is sound, and in this we are fortified by two recent pronouncements of weight. The Simon Commission remarked as follows (para. 328, Volume II):—

“It is far from our intention to recommend a separate cadre of officers for the departments of the Central Government, for we believe that the present system whereby the Central Secretariat is drawn from members of the services in the provinces is most valuable. A proper circulation between the provinces and the Centre is essential if contract is to be maintained over so large an area.”

While the report of the Services Sub-Committee of the First Round Table Conference (para. 3) contained the following comment:—

“In existing circumstances the Government of India can and does obtain officers from the provinces to fill certain Central appointments. Under the new regime we hope that it will be possible to conclude arrangements between the Government of India and the Provincial Governments so as to secure the continuance of the practice, which has obvious advantages.”

In fact, nobody among those whom we have questioned has been able to suggest any satisfactory alternative. It was mentioned as a possibility that the Centre might rank as a province in the initial allotment of officers on recruitment to different areas, men being assigned to it from the beginning of their service just as they are now posted to Madras, Bombay, etc. Subsequently, they might be deputed to different provinces for a period of district training, after which they would revert to the Centre for good. No one, however, favoured this solution. Men so sent to the provinces would be birds of passage, having no permanent interest in the work there and consequently regarded with little concern by the local Governments. Again, men's aptitudes develop in the course of their service, some for secretariat work in general or in specialised lines (*e.g.*, Finance), some for district work, some for both, and others for the judicial

sphere; they cannot be classified on first selection, and the Government of India might find themselves landed with officers who were quite unsuitable for their purposes. Further, the difficulties of working a small cadre of this type would be extreme, and to deprive the Service in general of such prospects of promotion would occasion deep resentment. At the same time, it would emphasise the cleavage between the Centre and the provinces. Already, with the prominence given to the idea of Provincial Autonomy, there is some risk of separatist tendencies developing. It would be most unfortunate if anything were done to strengthen them.

But it has been suggested that, whatever the merits of a system under which the Centre obtains its officers from the provinces, its actual working may be difficult under Provincial Autonomy. It has been apprehended that Ministers may look primarily, if not solely, to the interests of their own charges and may be reluctant to let their best men go. Possibly there may be some intensification of this feeling, but we do not think it will lead to a deadlock, nor did the evidence of existing Ministers point to that presumption. After all, however much Central and Provincial administration may tend to fall within different spheres, the matters dealt with by the Centre intimately concern the provinces; it is by the provinces that their good or bad administration will be felt, and the provinces are vitally concerned to see that their points of view are not neglected. Again, there are already Ministers, and we have had considerable evidence that many of them do appreciate the advantages of having officers of their province in the Government of India and recognise that training there should (on their reversion) impart a wider outlook with consequent increased efficiency. In fact, almost all of the present Ministers were in favour of continuing the present system. But they do expect that an attempt will be made to meet their reasonable complaints (*vide* para. 13). We understand the legal position to be that, reading sections 54, 126(1), 244 and 246 of the Government of India Act, 1935, it would be possible for the Governor-General in the last resort to insist, in the face of an absolute provincial refusal, on obtaining the services of a particular officer, but it is in every way undesirable that matters should come to that pass. A sound convention of mutual assistance should suffice, based upon give and take and the recognition of the needs and difficulties of both sides. Our subsequent recommendations in this connection are designed to secure this result.

19. (b) *The state of the Indian Civil Service cadre*.—Nothing could do more to conciliate the provinces than the placing at their disposal of sufficient men to meet both the requirements of the Government of India and themselves. We regard it as essential that the reserves of either category (*vide* para. 9) should be brought into closer correspondence with the probable demands upon them, and that the provincial cadres should be restored to an efficient state both in respect of total strength and racial distribution.

Ever then it is unlikely that an immediate remedy for the existing difficulties can be found, and we think that it behoves the Government of India carefully to consider what alternative sources of supply to the Indian Civil Service can be tapped. Local Governments have material to hand in the officers filling listed posts and in the Provincial Civil Services. In some provinces officers holding listed posts have occupied the positions of Secretary and Deputy Secretary, and, it may be, if

properly selected and trained, some may be found qualified to enter the Central Secretariat. The counterparts in the Government of India are the Departments of Audit and Accounts, Customs and Income-Tax. The first two services appeared before us definitely to urge their claims. The former, however, acknowledged that out of 12 appointments in the Finance Department classified by them as important they already held eight: their complaint was that they were not considered eligible for the posts of Finance Secretary, Deputy Secretary, Under Secretary and Financial Adviser, Military Finance. From the Customs Service an officer has recently been taken (temporarily) as a Member of the Central Board of Revenue, in which on two occasions and officer of the Income-tax Department was also temporarily employed. We recognise the difficulty arising from the reservation of certain posts for members of the Indian Civil Service, to which by that service much importance is attached, as also the force of the opinion of the Simon Commission which was expressed as follows (para. 328):—

“We readily recognise the high standing of the Provincial Services; but an All-India Service has a much wider field of choice, and the status and tradition attaching to it secure for it recruits of a class for which a Provincial Service has no attractions.”

We do not wish, therefore, to suggest any rigid recognition of claims, or rather aspirations, but in so far as these Services produce competent officers (and by the careful selection and training of junior men this process might be facilitated), the Government of India would do wisely to make use of them.

20. (c) *Recruitment for the Foreign and Political Department.*—We understand that the whole question of the future system of recruitment for the Foreign and Political Department is at present under consideration, although no decision has as yet been arrived at. Since the question is governed by considerations which are outside our terms of reference, we can only say that it would be an enormous relief to the provincial cadres if they could be spared the constant drain upon them (particularly in respect of British officers) on this account.

21. (d) *The tenure system in general.*—We have already described the tenure system as it affects secretariat appointments and have examined the extent to which in recent times it has been observed at the Centre. We have also summarised the considerations on which it is based and others relevant to the future constitution and duties of the Government of India. Before proceeding to deal with details we would state three general considerations:

(i) A system of tenure extensible (for no special reason) at option is essentially bad. There cannot be an absolute rigidity, as special occasions in which short extensions are justifiable are imaginable, *e.g.*, if the officer was engaged upon a particular task which should be seen through by one and the same individual (for example, a budget or a tariff agreement), or in order to avoid a simultaneous change of Member or Minister and Secretary. But otherwise to renew tenures on no specific ground may lead to intrigue and the suppression of independent opinion. It is essential that the judgment of secretariat officers should not be affected by the expectation of currying favour with those above them. Even when legitimate extensions are granted, we think that this should be the act of Government as a whole, not of the particular department affected.

(ii) To allow an officer to progress from Under to Deputy Secretary, to Joint Secretary and Secretary is not good either for the department or the officer himself. The periodical infusion of fresh blood is advantageous to the department, and work of a different type saves the officer from becoming stale. Moreover if an officer remains too long in the same groove, it practically unfits him for any other, and protracted service under the Government of India puts him entirely out of touch with local conditions. We think that, up to the stage of Secretary, a secretariat tenure should either be followed by a spell of administrative work under the Government of India or of administrative or secretariat work under a local Government.

(iii) Although apart from the Secretariat proper, there are certain posts of an administrative type under the Government of India which may legitimately be filled by men who have been in the Central Secretariat, particularly if they are akin to a specialised department in which it is expedient to give an officer concentrated training (*vide* para. 23 *infra*), yet the only way to reconcile Provincial Governments to the loan of their servants is to allow them to benefit by the reversion to them of their officers who have thus acquired wider experience, and in respect of the non-specialised departments in particular, we consider that every effort should be made to secure this result. This need not debar such an officer from returning to the Government of India at a later date.

22. (e) *Special cases of the Foreign and Political, Legislative and Legislative Assembly Departments.*—We do not offer our remarks on the subject of tenures as applicable to the Foreign and Political, Legislative and Legislative Assembly Departments.

The first named has a cadre of its own from which it draws its secretariat officers and may be left to adjust its system to its own peculiar needs.

In the case of the Legislative Department, until recently, the tenure system did not prevail, but it has recently been applied to the Secretary and Deputy Secretary (*vide* Appendix IV, Part I). We see no necessity for so doing. The work is essentially that of an expert specialist, and prolonged experience should add to an officer's value. Moreover, the present orders as to the Secretary's term of office (5 years extensible by another 5) amount very nearly to an absence of tenure, having regard to an officer's probable seniority on appointment. Probably, however, in his own interest, a Deputy Secretary may not seek stay too long in the job.

The circumstances of the Legislative Assembly Department are entirely special.

23. (f) *The tenure system as applicable to Under and Deputy Secretaries*—Bearing these considerations in mind we would treat the cases of Under and Deputy Secretaries according as they fell within a specialised or non-specialised department. In the former, we would class the Finance and Commerce Departments; in the latter those of Home, Education, Health and Lands, Industries and Labour, Defence and the Imperial Council of Agricultural Research. In the first class, we are concerned with 2 Deputy Secretaries (including the Secretary to the Central Board of Revenue) and 1 Under Secretary; in the latter with 6 Deputy and 3 Under Secretaries.

Taking the period 1919-1935, the average length of service on appointment of Deputy and Under Secretaries was about 13-1/3 and 6 years respectively. But in the former case it was noticeably shorter in the

Departments of Industries and Labour (10½ years) and Commerce (11½ years), in the department first named apparently owing to the practice of letting the Under Secretary proceed to the Deputy Secretaryship, which we have condemned, and in the second to the selection of two officers at an unusually junior stage.

For an Under Secretary this average stage of service seems to be about right. The old fixed rate of pay for an Under Secretary was Rs. 1,200: the present pay is on the junior time scale *plus* Rs. 300, which is equivalent to Rs. 1,200 in the ninth year of service; in the tenth year it would be Rs. 1,300.

For a Deputy Secretary (pay on the senior time scale *plus* Rs. 400) a maximum of Rs. 2,250 is prescribed. He would not reach this on the senior time scale till his 23rd year of service, but by that time he might be drawing more than Rs. 2,250 in other posts *e.g.*, as a Secretary to a local Government. Again, the old rate of fixed pay for a Deputy Secretary was Rs. 1,800, which means that from his 12th year (pay on senior time scale, Rs. 1,425 *plus* 400) a Deputy Secretary is costing more than previously, and the discrepancy increases up to the maximum with every year of his retention.

In both cases, therefore, we would make the tenure of each appointment three years, and on its expiry would insist on reversion to an administrative post. In the case of the non-specialised departments, reversion should ordinarily be to the province of origin, though in the Department of Education, Health and Lands there are two posts* and in the Department of Industries and Labour one† post which might afford possible, but not necessarily invariable, exceptions, since both appointments might suitably at times be filled direct from the provinces.

It was suggested in some quarters that for the post of Under Secretary two years might suffice, and in some provinces this seems to obtain. It was argued that more officers could thus be trained. But considering that in the Government of India an Under Secretary is confronted with an entirely new range of problems, we think a 3 year term is preferable.

The case of the specialised departments calls for special notice. Reference to Appendix III will show that the work in both is of a technical character with which an officer gains little acquaintance in the ordinary line. On the other hand it is work of intense, and as regards Commerce, of growing, importance and some complexity. We consider it to be most desirable that from among officers who show a special aptitude in these directions an expert cadre should be built up, and it should be the definite endeavour of each department so to do. From Appendix IV it will be seen that in both departments there are a variety of appointments connected with the special subjects with which they deal, while there is a considerable affinity between the business of the two departments. We see no objection, therefore, to these posts being regarded for the present purpose as on a common footing, and [except for the general rule referred to in para. 21 (ii)] to officers passing their careers in these particular lines. Indeed those who join the Audit and Accounts, Customs, and Income-Tax Departments are already ordinarily regarded as lost to

* Secretary to the Agent-General for India in the Union of South Africa and Agent to the Government of India in Ceylon.

† Controller of Emigrant Labour.

the provinces from which they come. The only difference would be that the Secretariat posts in these departments would be more explicitly linked up with the kindred administrative departments.

The existing position as regards these services is that in the Indian Audit and Accounts Service 3 posts of Accountant-General and 4 training posts are reserved for members of the Indian Civil Service, it being considered desirable that the department should be strengthened by the infusion of an element possessed of wider administrative experience. Recently, mainly on the score of economy, it was considered that this practice might gradually lapse and only 2 and none such posts respectively are actually so held at the moment. In the Customs Service, 2 posts of Collector (to be reduced to one after the separation of Burma) and 3 of Assistant Collector (then to be reduced to 2) are similarly so reserved. There are further 4 posts of Trade Commissioner in Europe of which 2 are at present held by members of the Indian Civil Service. It was said that the number of these would probably increase, though, on the other hand, there was a movement in favour of the appointment of non-officials. There are also 2 posts in the Commercial Intelligence Department which have been held by members of the Indian Civil Service in the past, although this is not at present the case. In the Income-tax Department there is no such reservation, but 4 posts of Commissioner (out of 6) and one of Assistant Commissioner (out of 23) are at present held by the Indian Civil Service, although the theoretical aim is to make the department ultimately self-contained. In view, however, of the definite desirability of having officers in the Secretariat with experience of these special subjects we should be sorry to see the Indian Civil Service element disappear, irrespective of the benefit which these particular departments derive from its presence.

But apart from its own needs, the Imperial Finance Department is deeply interested in the efficiency of its provincial counterparts, and it should endeavour to assist local Governments by the reversion to them for a term of service in this line of officers who have been trained in the intricacies of its business. Finance in the provinces will assume added importance under Provincial Autonomy, when provinces will have to manage their own ways and means and will possibly develop a bolder borrowing policy. This has already been recognised, and provincial officers are in anticipation undergoing a short course of specialised training which is probably all that can be managed at the moment. But the Finance Department should recognise the obligation to help provinces in the future, and in the event of a province desiring to appoint to a financial post an officer serving with the Central Government the latter should endeavour to spare him. Their own needs should have preference, but it should be possible to meet both requirements.

We were shown a scheme on these lines which was aimed at creating a definite pool of officers for the Finance and Commerce Departments which should be rigidly adhered to. It entailed various difficulties of adjustment of pay in the different departments, etc., and did not find much favour among those who appeared before us. We think the more elastic system outlined above will meet all that is needed and may avoid some complications. Of course, if an officer was not required in a specialised line at the Centre, he should revert to his province without stipulation as to the mode of his subsequent employment there. If however, he

was required further by the specialised department at a date only a few months later than the expiry of his term, no question of his reversion to his province for so short an interval need arise.

24 (g) *The tenure system as applicable to Joint Secretaries and Secretaries.*—During the same term as above (1919—35), the average length of service on appointment of Secretaries and Joint Secretaries was 22 and 19 years respectively, the Defence Department ((19-1/3 years) being a noticeable exception in the first case and the Departments of Industries and Education, Health and Lands (17 and 16 years respectively) in the second. Between 1900 and 1920, Secretaries when selected were slightly more senior as a rule (23 years).

Regarding these officers it will be seen from the details given in Appendix IX that on the executive side, with the approaching disappearance of Members of Council in the provinces, and excluding Governors, the pay of a Secretary to the Government of India (Rs. 4,000) will be higher than that of any provincial appointment. The nearest approach to it will be that of Chief Secretaries in the Presidencies (Rs. 3,750) and Members of the Board of Revenue and Financial Commissioners (Rs. 3,750 or Rs. 3,500). We have already noted (para. 16) that in the past practically all Secretaries to the Government of India, on completing their term either were promoted to be Governors or Members of Council or retired. In future, the only avenue of promotion normally open to them will be a Governorship or a Counsellorship or other superior post at the Centre. On the other hand, there are various provincial appointments of which the emoluments are higher than those of Joint Secretaries (Rs. 3,000).

For the sake of comparison we also show in Appendix IX the rates of pay of Provincial Secretaries. In view of the greater importance which will attach to these officers under Provincial Autonomy, we understand that one local Government is already considering the raising of the pay of the Chief Secretary to Rs. 4,000.

As regards the appropriate length of tenure which should govern the posts of Secretary and Joint Secretary to the Government of India in future, we are not in agreement. The majority of us are in favour of these officers being appointed without a specified limit being placed on their tenure of these posts. Sir Henry Wheeler would advocate a tenure of five years. The reasons for our respective views are set forth in Addenda A and B.

25. (h) *Probation, leave, deputation, etc.*—There do not seem to be any existing definite orders on the subject of probation, although an unsuitable officer would presumably be reverted. For Under Secretaries we would like to see a recognised trial for six months. Above that grade sufficient should be known of the officer prior to appointment to render this unnecessary.

During a three year tenure we consider that leave should not ordinarily be taken. If an absolute necessity of so doing should arise, its period should be limited to four months, and every endeavour should be made to fill the vacancy by some local arrangement without indenting upon the provinces for a substitute.

Where a tenure is prescribed, any time spent on probation, leave or deputation should be included in it.

26. (i) *Confidential reports*.—Under recent orders, but not previously, confidential records are maintained of the work of the superior secretariat staff and this appears to us to be desirable. It might well be followed uniformly in the provinces where at present the practice varies.

We were told that confidential reports on ministerial officers tend to become colourless owing to the obligation of showing them to the officer concerned. A note of this type is valueless, and while it is a well established practice that remediable defects should be communicated, we see no need to pass on the whole report.

27. (j) *Systematisation of recruitment*.—We were greatly struck by the absence of any regular system in the indenting on the provinces for officers required by the Centre. Till very recently each department appears to have gone as it pleased, as and when the occasion arose. Sometimes an officer is asked for by name: sometimes a province may be asked to suggest names, or a general reference of this type may be made to all provinces. Consequently, the local Governments never know when a demand may be made upon them, and irritation is caused by a series of disconnected calls. Lately, it has been arranged that the Secretary to the Executive Council shall maintain the confidential records (*vide* para. 26) and be consulted by the department requiring a fresh officer. But we doubt the adequacy of this solution. The addition to this particular officer's work is rather outside the sphere of his other functions, and he has not at his command the materials for dealing with the matter. We are decidedly of opinion that a more definite and centralised procedure should be followed and that one department should be entrusted with the task of ensuring co-ordination though in full consultation with the other departments concerned. This would naturally, during the transitional stage, be the Home Department which already is the repository of service interests in general. Under Federation, remembering the special responsibilities of the Governor-General, one of the Counsellors would be an appropriate authority. Whoever it was, there would be no question of his dictating to or directing other Departments. It would be the duty of such an authority to maintain the requisite records, and at the commencement of each year, or at some other convenient time, to obtain from other departments a forecast for the year of their probable requirements, preparing a consolidated statement for the whole Government. This could then be considered, say, by a committee of Secretaries, (presided over, say, by the Vice-President of the Executive Council) in the light of the existing composition of the Secretariat and other offices, the demands already made upon different provinces, the state of the provincial cadres, the qualifications and standing of the individuals likely to be available and any other relevant information, submitting proposals to Government, the ultimate orders of which would be required. We are aware that with the vicissitudes of official life in India it is impossible to forecast every contingency, but many could be foreseen and others, as they arise, could be dealt with on similar lines. It would be the duty of such a committee to ensure compliance with any orders which may be passed on the matters with which we are now dealing. Given such a system, local Governments would have some assurance that their interests are receiving consideration, while had such a practice obtained in the past it is probable that prominent attention would have been drawn before now to the imminence of the difficult situation which has arisen.

CHAPTER III.—ORGANISATION OF THE SECRETARIAT.

28. We proceed now to examine various matters connected with the organisation of the Secretariat.

29. *Business of Departments.*—The Llewellyn Smith Committee devoted considerable attention to the allocation of business among the different departments of the Government of India and made a series of recommendations in that connection, of which the most noticeable result was the addition of one Member to the Executive Government with the separate portfolio of Industries. Taking matters as they now stand, we doubt if the distribution of business calls for further detailed comment, since the various subjects seem, on the whole, to be grouped systematically and conveniently. The only suggestion for material change which was brought to our notice was for the creation of a Department of Ways and Communications, embracing all functions relating to transport and Posts and Telegraphs, which are at present divided between the Railway and Industries and Labour Departments. This idea also commended itself to our predecessors, and it has been accepted in principle by the Government of India (*vide* a resolution in the Council of State, dated 13th of March 1935).

It would appear from debates in the Legislative Assembly last year that a remodelling of the Commerce Department was unofficially advocated, but no very definite scheme was outlined or has since been elaborated.

On the face of it, the control of agricultural and veterinary research institutions at Pusa and Muktesar would seem to fall more appropriately within the purview of the Imperial Council of Agricultural Research than of the Department of Education, Health and Lands, but the point was fully discussed in 1931-32, and we accept the conclusion then arrived at that change was inexpedient.

Otherwise, minor suggestions have been made to us for the transfer of Commercial Education from the Commerce Department to the Department of Education, Health and Lands, and of Copyright from the Department of Industries and Labour to that of Education, Health and Lands, the latter reversing a recommendation, which was accepted at the time of the Llewellyn Smith Committee. Neither subject is of major importance, nor does any special issue of principle seem to be involved.

But a convincing reason for avoiding any considerable disturbance now of the existing system is that with the advent of Federation the question will have to be reviewed from a different angle. Section 9 of the Act of 1935 fixes the maximum strength of the future Federal Ministry at ten, although we understand that no particular conclusion is to be inferred therefrom as to what may be an appropriate figure, but it is likely that the future number of Ministers will be greater than that of the present Members, thus necessitating a rearrangement of portfolios. The statutory obligation to appoint a Law Member will also cease to be operative. The political considerations of the time will presumably be the determining factor, and these it is impossible at this stage to define. But clearly, until they are known, it will be convenient to avoid intermediate changes.

30. *Organisation of Departments.*—Within a department our predecessors envisaged (paragraph 71) an ideal organisation in the nature of a pyramid of which (above the office proper, as defined in paragraph 63), the base was an adequate number of Assistant Secretaries, submitting cases through Deputy Secretaries

to one Secretary at the top. Under Secretaries (except in the Finance Department—paragraph 77) were to disappear, and the device of Additional and Joint Secretaries (except in cases of temporary emergency) was definitely condemned as tending to weaken the control of the Secretary and to impair the unity of the department (paragraph 10).

31. *Joint Secretaries.*—It will be seen from the details given in Appendix X that this ideal has not been realised, and in fact the Government of India (*vide* their resolution of the 1st September 1920) held at the time that all departments could not be treated alike. Every department except Defence and Finance (and in the latter the post of Additional Secretary is only recently in abeyance) has now a Joint Secretary. The pressure and growth of business have rendered it impossible to pass all files to the Member-in-Charge through one Secretary; also the demands of the Legislature have required the presence of two representatives in addition to the Member from every department except Education, Health and Lands and Defence. As already remarked (paragraph 6), this latter factor will cease to be operative under Federation, when officials will no longer sit in the Legislature, but it is probable that they will have still to be in constant attendance on their Ministers and it is difficult now to forecast the precise result. We doubt if it would be possible generally to revert to the old system of one department, one Secretary, though an increase in the number of Ministers would tend in that direction. However, even as matters stand, the Secretary is definitely regarded as of higher status than the Joint Secretary, and the responsible head of the departmental Secretariat. Incidentally, too, he draws higher pay. This position seems to us to be correct, and we would not attempt to assimilate the status of the two officers.

In practice, the various Branches are definitely divided between the Secretary and Joint Secretary, though presumably the Secretary ordinarily deals with the most important work. We were told that in exceptional cases both officers might see, and that as all cases are returned to the office through the Secretary, he could (in theory) keep himself acquainted with everything which was going on, but we think it most undesirable that there should be any system of double noting (in one department there seems to be a tendency in that direction), and the separate responsibilities should be recognised and enforced.

Equally, below the Secretary and Joint Secretary there should ordinarily be the intervention of one officer only, whether Deputy, Under or Assistant Secretary. The interposition of two is an unnecessary delay to business. For the most part this is the present procedure, but any infringement of it should be checked. If, of course, a case is such as the Deputy Secretary could dispose of finally, there is no objection to its submission to him by an Under or Assistant Secretary, and in the Defence Department, in order to facilitate such disposal, all cases go through the Deputy, but ordinarily this would seem to be undesirable.

32. *Deputy Secretaries.*—We were informed, however, that where there was a Secretary, Joint Secretary and Deputy Secretary, the position of the last named was apt to approximate to that of an Under Secretary. This seems wrong in principle. For the pay of a Deputy Secretary two Under Secretaries could be secured, and if the knowledge of a senior officer (who, *inter alia*, can dispose of more cases personally and submit certain cases direct to the Member) is not needed, then one of junior status would be an economy.

if these posts are in any way to fulfil the expectation in which they were advocated.

There is a noticeable difference in the use that has been made of these officers in different departments. In the Home, Education, Health and Lands, and *Legislative Departments, they have been employed mainly for the purpose of office supervision and in connection with ministerial establishment cases. In the Finance, Commerce and Industries and Labour Departments, their primary duty is to note on cases, and this we think is their correct function. Otherwise an officer of the Registrar class should suffice and would cost less. The whole idea of the Assistant Secretaryship was to create a permanent officer class, not a superior ministerial grade. We would not debar the promoted ministerial officer, if properly chosen, or lay down that the Assistant Secretary should be dissociated from such matters as control of the office personnel and accounts, but the aim to be borne in mind is to constitute a secretariat type which by reason of its prolonged acquaintance with actual departmental business can not only render assistance in its disposal of a greater value than that which can be expected from a ministerial officer, but also facilitate a greater measure of devolution. With the important matter of office supervision we deal below.

The pay of an Assistant Secretary (Rs. 750—25—900) is adequate to attract a man of a good standard of ability, and it was suggested to us that it would strengthen the Secretariat if a superior type of officer could be recruited explicitly for these posts of Assistant Secretary with the expectation of being appointed to them after a materially shorter training as an assistant than is usual in the case of an officer so promoted at present. The recommendation would apply only where there is not already (as in the Indian Audit and Accounts Department) a suitable outside field of selection. We should have thought that the Customs and Income-Tax Departments might similarly have produced suitable candidates, but they do not seem to have been drawn upon. But otherwise we doubt the desirability of attempting to recruit specially to anything in the nature of a Secretariat Service on a par with the Provincial Civil Services. It is true that in the provinces resort is usefully had to the latter Services, and in Appendix XI we give details of the prevailing practice and indicate the general opinion on the results achieved, since provincial experience in this matter is not without its value in considering the needs of the Government of India, but an officer taken from a Provincial Service brings with him a definitely different earlier experience in executive work and has probably in it to some extent been entrusted with personal responsibilities. We make proposals below which should procure a better type for division I of the Secretariat, and granted this and so long as selection is observed in taking men from the ministerial ranks, and they are not kept too long waiting for promotion, there appears to be no particular advantage in starting a special service. At the same time, we are definitely of opinion that appointments to the posts of Assistant Secretary should not be confined to members of the ministerial service, and we advocate recourse to the wider field indicated above.

35. *Registrars*.—With the increased appointment of Assistant Secretaries, Registrars have disappeared. In 1919, these numbered ten. In the Finance Department, there is a post of Chief Superintendent, *i.e.*, a senior

* The case of the Legislative Department is doubtless special.

superintendent in receipt of a special allowance, who is supposed to discharge the duties of a Registrar. We have already said that, in our opinion, the proper functions of an Assistant Secretary do not cover the duty of detailed office supervision, and the class should not be confused with that of Registrar. The latter was never intended to be more than the principal ministerial officer whose function it was to superintend the establishment, ensuring its smooth working and the prompt disposal of work. We are disposed to think that the importance of this duty has tended to be underestimated, and while we do not advocate a revival of the post of Registrar, we discuss this point further in connection with the general question of office supervision (paragraph 38 *infra*).

36. *The Ministerial Service.*—On the recommendation of the Llewellyn Smith Committee (Chapter III), a system of recruitment of the ministerial staff through a Staff Selection Board was substituted for the previous independent and rather haphazard methods of individual departments, and this continued in force until 1926. Towards the end of that year, the functions of the Staff Selection Board were transferred to the Public Service Commission, and on their recommendation the Government of India convened an interdepartmental conference in 1927 to examine the system of recruitment to the ministerial establishment of the Secretariat and its Attached Offices. The system recommended by the conference was adopted with minor modifications and is still in force. Its salient features are set forth in Appendix XII.

That there is no lack of candidates is shown by the following figures.

Year.	Number of candidates.		Number of vacancies.		
	I & II Divisions.	III Division.	I Division.	II Division.	III Division.
1933	1,069	420	24	4	54
1934*	..	398	..	..	(a) 143
1935	674	252	(b) 4	(b) 6	(c)

Applicants come from all over India, though we were told that those from Madras, the United Provinces and the Punjab ordinarily prove most successful. Apparently candidates are much of the same type and apparently even for division III about one half are graduates. Indeed it seems to be not uncommon for some candidates to appear for all the main examinations conducted by the Public Service Commission, *i.e.*, Indian Civil Service (Delhi), Indian Audit and Accounts and the Ministerial Service (divisions I, II and III), and in default of anything better to take division III not with the intention of staying in it but pending better prospects. There is no *viva voce* test, which is to be regretted since we were told that the physique of many candidates was poor, but the numbers to be examined preclude it.

* There was no examination for divisions I and II in 1934.

(a) The list will remain in force up to 31st March 1936.

(b) The list will remain in use till 30th September 1937.

(c) The list comes into operation with effect from 1st April 1936.

There was general unanimity that, although it was perhaps too early to express a final view, the present mode of recruitment has secured a better type than previously and that the men so chosen were on the whole shaping well. At the same time, the view was strongly pressed by the Educational Commissioner that the best type available is not being obtained and that for the pay offered in division I more competent men should be procurable. The argument was that the examination described in Appendix XII is of so elementary a type that it does not differentiate sufficiently between the candidates and that a more severe test is needed in order to ensure that the best men come to the top. After looking at some of the papers, we think that they are open to this criticism and that a higher standard should be set. In order to combine this with the avoidance of a multiplicity of examinations, we considered whether it would be possible to link up recruitment for the ministerial service with that for the Indian Audit and Accounts which undoubtedly secures candidates of good calibre, but to this course there are various objections. The numbers appearing for the Indian Audit and Accounts examination are already inconveniently high; anything which might tend to add to them by introducing another element is to be deprecated. Importance is attached to the fact that the examination for the ministerial service is held at different centres, thus facilitating the appearance of candidates from the different provinces; indeed there is already a demand for more centres. It would certainly be resented were the examination for division I to be centralised. The subjects for the examination for the Indian Audit and Accounts Service, again, are of a needlessly high standard for division I.

On the whole, therefore, we do not favour this solution, and the alternative is to stiffen up and extend the scope of the existing test. We recommend that action should be taken on these lines, but the details can best be elaborated in consultation with the educational authorities.

It is an accepted principle that while the difference between divisions I and II is one of degree, that between them and division III is generic. At the same time the syllabus for division III is on the same lines (though the standard required is lower) as that for the other two. The reactions on the examination for the third division of any change in the examination for divisions I and II will require to be examined at the same time.

We were glad to learn that the provision of a leave reserve, as recommended by our predecessors, has resulted in the stoppage of the admission of temporary hands (who tended to establish claims to permanency) other than through the recognised channels, and any such practice should be firmly suppressed.

In this connection the systems of recruitment followed in the different provinces are not without interest. Recruitment generally is both direct and by promotion. Examinations are held in Madras, Bengal, the United Provinces and Bihar and Orissa. Elsewhere selection prevails (in Assam after a test).

In Appendix XIII we compare the rates of pay current in the Government of India and Provincial Secretariats. For superintendents there is a high maximum in the Punjab, but the rate is highest (as might be expected) in the Government of India. Bombay, Bengal, the United Provinces and the Punjab fall more or less in one group, but in Bihar and Orissa, the Central Provinces and Assam the rate of remuneration is distinctly lower.

CHAPTER IV.—SECRETARIAT PROCEDURE.

37. *Secretariat procedure.*—The Committee of 1919 devoted much time to the examination of Secretariat procedure and made various detailed recommendations in connection therewith. In Appendix XIV we note the more important of these and indicate the action taken in respect of each, while adding further suggestions of our own. Beyond this, we do not think it is necessary to retrace the ground then covered. We have had the advantage of consulting many experienced secretariat officers of different standing, serving both with the Government of India and the provinces (and in essence all Secretariats proceed on similar lines), and it was their unanimous opinion that the system, as such, is suitable. The conditions governing it, *i.e.*, a transitory cadre of a few superior officers controlling a permanent but less qualified office, were noticed by our predecessors (paragraphs 64 and 108) and remain unchanged. But while it is natural that officers brought up under a system should be reluctant to recognise an alternative, we have not discovered, nor did our predecessors, any other method likely to be equally suited to the transaction of Government business, given the circumstances governing its disposal. No secretariat system will guarantee that the orders ultimately passed are necessarily sound; all that can be sought is that an efficient examination of cases should precede their reasonably prompt disposal. The cardinal fault to which all Secretariats are prone is delay, and the particular vices of the Indian secretariat system are usually recognised to be—

- (a) the dilatory referencing and submission of cases (partly due to defective indexing—paragraph 114 of the report of 1919);
- (b) needless references either to other branches within the same department or to other departments in connection with no specific point but, vaguely, that the case may there first be seen;
- (c) excessive and irrelevant noting (paragraph 119 ditto);
- (d) careless editing of files prior to printing (paragraphs 123, 124 ditto).

All officers are cognizant of these faults and in fact admit them. There are existing rules condemning them and seeking to correct them, but the remedy does not lie in the multiplication of rules but in insistence on their observance. Officers see the work of their subordinates daily, and when defects reveal themselves they should be pointed out and their avoidance in future insisted upon. Otherwise there is no hope of improvement, and the multiplication of instructions which are disregarded leads nowhere.

38. *Office supervision.*—The fact that all superior officers are overworked was noted by our predecessors (paragraph 73) and was equally emphasised before us. There was no attempt to conceal the fact that Secretaries and Under Secretaries have no time to inspect their offices, while Assistant Secretaries, where engaged in case work (*cf.* paragraph 34 *supra*), are in very similar plight. We admit the difficulty, but are not satisfied that more might not be done than at present seems to be the case. The supervision of the office is left to the superintendents, and we doubt whether this is sufficient. Our predecessors (paragraph 108)

postulated as essential conditions of permanent and substantial improvement:—

(i) the improvement of office supervision through the strengthening of the staff of responsible officers, especially Assistant Secretaries;

(ii) the appointment of an Inspector of Office Procedure (paragraph 139).

We have already said that we do not consider this to be the proper function of an Assistant Secretary and the qualifications required for effective office control are not necessarily the same as those needed for an efficient Assistant Secretary. We have considered, therefore, the general revival of the post of Registrar, but so long as this remained as a reward of lengthy ministerial service it was always apt to be regarded as a dignified shelf. However much it might be argued that this need not necessarily be so, given proper selection, it seemed to be the natural course of events. At the same time, there appears to us to be the definite need of a responsible officer sitting in an office to be in constant touch with the work in it, ensuring that files are not lying neglected upon assistants' tables but are being dealt with promptly and intelligently. We think this could best be secured without the atrophying results which seem to attend appointment as a Registrar by selecting a capable, tactful and energetic superintendent (as in the Finance Department), explicitly entrusting him with this duty, but allowing him still to keep in touch with the more live work of a superintendent, though reducing the latter to an extent which would leave him time for general superintendence. In some departments it may be possible to arrange this among the existing staff; in others it might entail the addition of one superintendent. But even if it did, the matter is of sufficient importance to justify this course. Since such a Chief Superintendent would still have opportunities of further promotion, it would be to his interest to display a more active interest in his work than was the case under the old system of Registrars.

The suggestion for the creation of a post of Inspector of Office Procedure was accepted, and such an appointment was actually made in 1920 on a salary of Rs. 2,000—50—2,500 per mensem. The main duty entrusted to the Inspector was to facilitate the introduction of the revised office system recommended by the Committee and to ensure its progressive improvement and adaptation to changing conditions. It appears, however, that while he did useful work in many matters connected with the re-arrangement of office accommodation in the secretariat buildings, New Delhi, to which the Committee drew attention (paragraph 66), he was able to achieve very little in regard to the improvement of the internal management of the office. The post was abolished in 1923 as a measure of economy on the recommendation of the Incheape Committee. The evidence tendered to us shows that the failure of the experiment was due partly to the personal equation, partly to the Inspector's employment largely on other duties, and partly to opposition on behalf of the offices inspected by him. These defects should be remediable, but, on the whole, agreeing with the majority of witnesses, we doubt the advisability of a whole time special appointment. We would rather see the periodical deputation of, say, an experienced officer with special aptitude for this class of work, to overhaul an office, particularly one which was demanding an increased staff. It was represented to us that, at present, the

CHAPTER V.—CONCLUSION.

40. We have now completed our review of the more important points which have been brought to our notice during the course of our enquiry and which are relevant to the matters referred to us. We have endeavoured to give an up to date picture of the actual working of the Secretariat of the Government of India since 1920, and have noticed such facts relating to the Provincial Secretariats as seem to have some bearing on the problems of the Centre. We have examined in some detail the system of recruitment to the Central Secretariat and the probable effect of impending changes upon it, which, in our view, is by far the most important matter that has been referred to us. Lastly, while accepting in the main the existing secretariat organisation and procedure, we have suggested some directions in which it seems susceptible of improvement.

Necessarily much of this has dealt with the past, whereas the Government of India are about to enter upon the transitional stage as a prelude to Federation, and in the provinces the far-reaching innovation of Provincial Autonomy is impending. We have attempted to weigh the reactions of these changes upon the subject of our investigation, but inasmuch as large political issues in connection with such important future developments as the position and functions of the Counsellors and the Financial Adviser still remain unsettled, and are outside our purview, it is impossible for us to forecast their reaction upon the work of the Secretariat. Obviously, under Federation, the position of the Home Department in particular will not remain what it has been in the past or is likely to be during the transitional period, while an enlarged Secretariat of the Governor-General and the extent to which in many matters it will correspond in the name of the Governor-General with Provincial Governors and not with local Governments will necessitate considerable adjustments with the existing machinery. Again, there will be the Crown Department and the Reserved Departments, whose relations with the Federal Government are still to be elaborated. All these questions involve political considerations upon which we are not asked to advise; until they are decided, the discussion of details of secretariat procedure and the strength of the future staff can only be hypothetical. But we are hopeful that such information as we have brought together and such opinions as we have expressed may be of help to those who have to deal with these matters in the future.

41. It only remains to acknowledge the very able assistance of our Secretary, Mr. C. M. Trivedi, C.I.E., O.B.E., I.C.S. His experience of the Secretariat and wide knowledge of the subjects which have come before us have been of the greatest value to us.

We have the honour to be,

SIR,

Your most obedient servants,

H. WHEELER

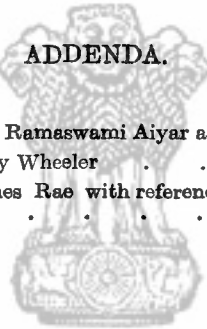
Chairman.

C. M. TRIVEDI,
Secretary.

C. P. RAMASWAMI AIYAR;
JAMES RAE, } Members.

ADDENDA.

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सत्यमेव जयते

ADDENDUM A

1. As stated in para. 24 of the Report we are unable to concur in the view that the Secretaries and Joint Secretaries in the Government of India Secretariat should be appointed on the basis of a limited tenure. In our opinion they should be appointed without any specified limit being placed on the tenure of their posts. Our reasons are as follows.

2. The system of limited tenure was, we have no doubt, well suited to the position which existed in 1905 when it was introduced. The present position is already different by reason of the Reforms of 1919 and the difference will be more marked with the advent of Federation. Indeed it is true to say that the position under Federation so far as it affects the point under discussion will bear little, if any, resemblance to the position in 1905.

3. Under Federation, the official element in the Executive Council will disappear and control of policy will be vested in Ministers, subject, of course, to the powers of the Governor-General. It is vital in the interests of efficient Government that these Ministers, whose period of office may be uncertain and who may, in many cases, be unlikely to have had any official or administrative experience, should, so far as it is practicable, have available to them, as their principal advisers, officers able to speak with knowledge and authority arising out of experience in their particular posts.

4. It may be that this result could be obtained by prescribing a fairly lengthy tenure and making provision for extensions to meet special circumstances. This brings us to our second main point.

5. The relation of Civil servants to Ministers under a Parliamentary system has been summarised in the following extracts from a memorandum submitted by Sir Warren Fisher, G.C.B., G.C.V.O., D.L., the Head of the Home Service, to the Royal Commission on the Civil Service 1929-30:—

“Determination of policy is the function of Ministers and once a policy is determined it is the unquestioned and unquestionable business of the Civil Servant to strive to carry out that policy with precisely the same energy and precisely the same good will whether he agrees with it or not. That is axiomatic and will never be in dispute. At the same time it is the traditional duty of Civil servants, while decisions are being formulated, to make available to their political chief all the information and experience at their disposal, and to do this without fear or favour, irrespective of whether the advice thus tendered may accord or not with the Minister's initial view. The presentation to the Minister of relevant facts, the ascertainment and marshalling of which may often call into play the whole organisation of a department, demands of the Civil Servant the greatest care. The presentation of inferences from the facts equally demands from him all the wisdom and all the detachment he can command.”

“The preservation of integrity, fearlessness, and independence of thought and utterance in their private communion with Ministers of the experienced officials selected to fill the top posts in the Service is an essential principle in enlightened

government; as—whether or no Ministers accept the advice thus frankly placed at their disposal, and acceptance or rejection of such advice is exclusively a matter for their judgment—it enables them to be assured that their decisions are reached only after the relevant facts and the various considerations have, so far as the machinery of government can secure, been definitely brought before their minds”.

6. The point we would emphasise in this extract is the duty of an officer holding the position of a principal adviser to a Minister to give to the Minister independent advice whether the advice thus tendered may accord or not with the Minister's initial view. The Governors-General of the future will also stand in need of such independent advice. An extensible tenure system seems to us to be inconsistent with the proper discharge of this highly important duty. However clearly defined may be the “special circumstances” in which an extension is to be granted—and there are obviously limits to the extent to which definition is possible—the Governor-General will be bound in a matter of this kind to have regard to the wishes of the particular Minister concerned. We have no doubt that, in practice, the grant of extensions will largely be dependent on the Minister's wishes although it may be true that the Secretary is, in theory, a Secretary to Government as a whole and not to any particular Minister. Such a practice would strike at the root of an efficient public service under a Parliamentary system, and, as an inextensible tenure system is admittedly unworkable for these posts, we find ourselves forced to the conclusion stated in this note.

7. As illustrating the danger we have in mind, we may mention the position of a Secretary towards the end of his tenure. Failing an extension he has either to face (i) reversion to his province, where in all probability he would have no appropriate place and where he will receive substantially reduced emoluments and status, or (ii) premature retirement. Such a situation is pregnant with risks. It is relevant in this connection to mention that, of the 13 Provincial Ministers from whom we received evidence, no fewer than 7 were in favour of *extensible* tenures, and it was evident from their evidence that amongst the advantages accruing from such an arrangement was the fact that it would enable Ministers to retain Secretaries “whom they liked” and also to replace those with whom they could not get on. Further, numerous witnesses have frankly admitted the difficulties facing the Secretaries to the Government of India at the end of their tenure without, however, putting forward any real solution.

8. We do not think that the advent of Federation will make a revolutionary, or indeed any, change in the type of Secretaries available in the future. On the other hand, we consider that our system is specially designed to attract the right type of men to those key posts and to keep them in those posts when they have been obtained. Nor do we suggest that Secretaries in the past have subordinated their judgment to their personal interest. When independence of judgment is insisted upon, it is not that we are contemplating deflection from probity as a normal feature. What we are anxious to do is to eliminate the possibility of temptation, so far as it is practicable so to do, and to see in existence a rule and a safeguard which will not only tend to produce an independent outlook and attitude on the part of the Secretary and Joint Secretary, but will also make the public at large believe that such independence will be maintained. The matter is of special importance in this

country in view of the communal and other factors on which we do not wish to dilate but which cannot be overlooked. The scheme of special responsibilities including safeguards for the protection of the Government of India Act does not involve a distrust of the various authorities in respect of whom the safeguards are enacted.

9. We turn now to the objections to the course, we recommend. It is apprehended that the same officers will hold their posts for unduly prolonged periods with the result that (i) the Government of India will be faced with "tired" Secretaries, (ii) the prospects of junior officers will be prejudiced.

10. On the question of "tired" Secretaries, it is not accurate to postulate a completely static position amongst Secretaries. Not only are some Governorships open to the Services but they will presumably be represented amongst the Counsellors. There are also possibilities in other directions under the Act of 1935. All this points to the fact that vacancies in the posts of Secretary are bound to arise from time to time and will be a means of avoiding that unduly prolonged tenure the possibility of which has given rise to fears. Indeed it is open to doubt whether under our proposals the tenure of a Secretary would in practice exceed by more than a year or two at most that which would be the case under an *extensible* tenure of five years. After all, it must not be forgotten that if the proposed interchange between the Provinces and the Centre and the fixation of a limit to the tenures of the same post are adhered to up to the stage of Joint Secretary, the officer concerned will have put in a service of about 20 years when he becomes a Joint Secretary and if it be also understood that Joint Secretaries should not automatically or as a matter of course ascend to Secretaryships but should ordinarily, before they become Secretaries, work in some outside sphere at the Centre or in a province under a system of mutual agreement, or in an allied department, an officer will not, normally speaking, attain to a Secretaryship before 23 to 25 years of service. When these results are analysed, and when it is remembered that higher posts exist to which Secretaries will probably proceed, it will be seen that an officer, under ordinary conditions, will not remain as Secretary for more than a maximum of 7 or 8 years from which, if leave be deducted, he will normally serve 6 or 7 years. The alternatives before the Committee are not therefore so essentially divergent or incompatible as may at first sight appear and are only between an extensible period of 5 years (less leave) and a period of 6 or 7 years. The divergence of views is thus not really between a permanent and a non-permanent tenure in the sense in which the expression "permanent" is ordinarily used. The real difference arises from the distinction between an extensible tenure and one which is not dependent upon outside factors. The advantages of the outlook accruing from the latter system are to our mind decisive.

11. As to the danger sometimes apprehended of a person becoming Secretary with say, 23 years' service and staying on for 12 years, we would further observe that, especially latterly, very few people have stayed on until the 35-year limit is reached and it is unlikely that they will so stay on in future. In fact actuarial calculations made some time ago appear to have reached the conclusion that service at the time of retirement is about 29 years. Further a "tired" Secretary can often be dealt with by a transfer to other work, and we should have thought that an

officer who can be so described would be apt to retire on his own initiative or on receipt of a hint. But we would unhesitatingly accept the risk of an occasional "tired" Secretary who wished to hold on to his post after he had ceased to be able to carry out effectively the duties thereof rather than adopt the alternative which has been put forward. The cases of exceptional rapidity of promotion on the ground of exceptional merit are of a special character and must be recognised as such. In these cases the person concerned will *ipso facto* have better chances of securing recognition elsewhere.

12. We would remark that the risk of the "tired" Secretary is not sought to be avoided in the case of the Foreign and Political and Legislative Departments.

In order to deal with the problem when it arises of the "tired" Secretary who is really played out but still hangs on, the right course in our view is for the Government of India to take power to deal with the problem, *e.g.*, on the lines of Note (i) to Article 465A of Chapter XVIII of the Civil Service Regulations. The difficulty is apparently not a new one, and there is much to be said for a power of the kind suggested whatever decision is reached on the point under discussion.

13. On the point of the possible loss of prospects, it may well be that fewer officers will succeed to the present posts of Secretary and Joint Secretary. But it is relevant to point out:

- (i) that the number of these posts is likely under Federation to be higher than at present having regard to the possibility of 10 Ministers and 3 Counsellors, to say nothing of other high appointments that are likely to come into existence after the advent of Federation:
- (ii) that in recent years the appointments to these posts have been restricted to a somewhat narrow field in contrast to the wider field contemplated by the general proposals of the Committee: and
- (iii) that, as we feel sure the Service would be amongst the first to recognise, the interests of the State are paramount in a matter of this kind.

14. With regard to the effect on prospects of promotion of other officers if our proposals are applied to the present Secretaries and Joint Secretaries to the Government of India, we wish to observe that these officers were appointed on a limited tenure basis and can have no absolute claim to automatic re-appointment on the new basis. It need not, therefore, be assumed (i) that all the officers in question will automatically, and without adequate balancing of pros and cons, be appointed to posts on the new basis, or (ii) that these officers will remain in their existing posts up to the date of the completion of 35 years' service.

15. On the question of the evidence submitted to the Committee we fully recognise that the bulk of the evidence is in favour of a tenure system, but we consider it our duty not merely to record evidence for and against a particular view, but in addition to weighing up the evidence, which we have done with the utmost care, to bring to bear on the problem such experience as we possess in different spheres and our conception of the future under the Government of India Act. Importance must be attached to the fact that the new Government of India Act is inaugurating the first stage of a democratic constitution based to a large extent on

the British model of Parliamentary Government, and while we would not for one moment seek to minimise the experience and the attainments of the witnesses that appeared before us, the fact remains that the vast majority of those witnesses were officers belonging to the Indian Civil Service who are familiar with and had worked under the present system.

16. We seek to draw no analogy from the Home Service except on the one point of the relations between Ministers and their principal advisers. At Home, as in India, there is an elaborate system of noting and record. It may not—particularly in the matter of printing—be so elaborate as the Indian system but it does ensure that a new comer can acquaint himself with the history of cases coming before him. Nevertheless, neither at Home nor in India can the material recorded in files serve as an effective or justifiable substitute for the many “contacts” with persons and bodies so essential for the efficient and expeditious handling of affairs. The adoption of our proposal in no way involves the recasting of the Government of India Secretariat on British lines. The latter would not in our view suit the circumstances of India. The prospects in the Home Civil Service do not appear to us to be relevant. Since, however, reference is made to this matter, we feel it necessary to say that a large proportion of the class in England recruited normally at the same examination as the Indian Civil Service do not proceed beyond the grade of Assistant Secretary the maximum salary of which is £1,450 per annum. This salary is approximately the same as the emoluments of an Indian Civil Servant who is just above the half way line in the senior time scale, overseas pay being ignored.

17. There is a further point to which we should refer. The tenure system in the case of a Secretary to the Government of India involves, as pointed in paragraph 7 above, a risk of premature retirement. It is not taking a pessimistic view of human nature to assert that Secretaries who do not obtain promotion as Governors, Counsellors or otherwise would be more likely to retire than to go back to the province. We must point out that such retirements would, especially in the initial stages of the new constitution, be very detrimental to efficiency as it would deprive the Ministers of the services of highly trained and competent officers. The remarks in the Report on the depleted state of the cadre are very relevant in this connection.

C. P. RAMASWAMI AIYAR.

JAMES RAE.

ADDENDUM B.

I regret that I am unable to concur in the majority view that in the case of Secretaries and Joint Secretaries to the Government of India no specific limit should be placed on their tenure of these posts. As indicated in para. 24 of the Report, I would advocate a longer tenure than that which at present obtains, but would limit it to five years.

2. In considering this matter I attach more importance than my Colleagues are disposed to do to the weight of opinion among those questioned by us. Out of 65 persons who expressed opinions on this point, only 7 favoured a permanent tenure—in one instance because a specially recruited Central Secretariat was proposed. None of the Heads of Provinces advised this course, while out of eight Secretaries and Joint Secretaries at headquarters whom we examined only 2 (both in the Department of Education, Health and Lands, who also recognised that all departments could not be treated alike) supported this solution. Out of 13 provincial Ministers whom we interviewed only one desired permanency; all eight Indian Members who met us would retain the tenure system and several definitely emphasised that extensions should be resisted. Indeed my Colleagues “fully recognise that the bulk of the evidence is in favour of a tenure system”.

They would, however, discount the value of this testimony by the argument that much of it came from members of the Indian Civil Service. This, in the circumstances, was inevitable, but most of these witnesses must also have some “conception of the future under the Government of India Act” and are not without experience of other spheres. Also, after all, the problem is an Indian one.

Secondly, my Colleagues argue that 7 Ministers were in favour of extensible tenures. If the inference implied is that they wished to keep their Secretaries dangling on a string according as they proved complaisant or not, this was neither suggested nor advocated. The question as put to the majority of witnesses was whether it was not likely that Ministers would like to keep Secretaries to whom they had grown accustomed for longer than three years, and 7, it is true, said they would like to be able to extend that term. But, of these, one would make the post a permanency; one desired to keep his present Secretary as long as he was in office; one wanted an extension for a definite term, though not a permanency, and two gave as one reason that it was not sound to have a simultaneous change of Minister and Secretary. Of the rest five were definitely against extensions, while one wished for a longer initial term. None of these gentlemen were questioned as to the possible reactions of extensions upon the independence of their Secretaries. In fact, the point was hardly stressed until towards the close of our enquiry when it was raised by two witnesses. One witness had previously admitted this risk; three had repudiated it when it was suggested.

I find it difficult to believe that so many experienced individuals—both official and non-official—were altogether mistaken in their views or have overlooked any fundamental consideration in the case. It is true that there was an appreciable measure of agreement that under the new constitution a longer tenure for the highest secretariat posts would be desirable, but this was mostly put at from four to six years and permanency was explicitly deprecated.

3. My Colleagues proceed to emphasise the special need of Ministers under Federation having "available to them, as their principal advisers, officers able to speak with knowledge and authority arising out of experience in their particular posts" and they rightly lay stress upon the need of absolutely independent advice. They argue that "the position under Federation, so far as it affects the point under discussion, will bear little, if any, resemblance to the position in 1905".

It is, of course, the case that the existing official Members of Council will give place to Ministers, and that this will mean a momentous change in the constitution, but *quid* the Secretariat I cannot agree that so marked a change will ensue. Sir Warren Fisher's admirable summary of the position of civil servants under Ministers is equally true of their position under Members. The post of *Secretary to the Government of India has always been regarded as a responsible one to which it is sought to attract the best men. Speaking generally, I doubt if it can be said that Secretaries in the past have been lacking either in experience or ability, and the Ministers of the future will have to work with the material available.

4. To my mind, the fundamental fallacy underlying the argument of my Colleagues is that the choice lies between an extensible tenure system and one of unlimited tenure, and by implying that an "extensible" term means one extensible for reasons of sheer favour. In paras. 21 (i) and 23 of our Report we have enumerated certain perfectly legitimate reasons for keeping on a Secretary for a short time after the expiry of his tenure; they imply no question of favouritism: they are based upon the public interest and are easily recognisable. Allowing for this contingency, which need occasion no abuse, I do not follow the statement that "an inextensible tenure system is admittedly unworkable for these posts". It is certainly not admitted by me. Neither (subject to this contingency) do I recommend an extensible system.

5. Apart from this, my Colleagues base their conclusion in favour of no prescribed tenure on the following grounds:—

- (a) that, in fact, whatever is laid down, no tenure rule will be observed and the grant of extensions will be dependent on the wishes of the particular Minister concerned;
- (b) that whereas it is essential that a Secretary should tender his advice without fear or favour, his judgment will always be liable to be deflected by the desire to gain favour with his superiors in the expectation of an extension of his term, rather than having to face the alternative of premature retirement or reversion to an inferior post.

Touching these arguments, I see no reason to suppose that future Ministers will not themselves realise the advantages underlying a system of tenures. The argument used before us as justifying a longer tenure than three years was, as I have already said, that Ministers, being once accustomed to a Secretary they liked, would be loth to change him. A longer tenure of five years will largely meet that point. On the other hand, it is possible that a Minister may himself prefer a different Secretary, while Ministers themselves will come and go. Moreover Ministers in the

* I use the term "Secretaries" for brevity's sake. Unless the contrary is clear from the context, it includes Joint Secretaries also.

past have worked with changing Secretaries without undue embarrassment. Again, if a term is prescribed it will be for the Governor General to see that it is observed. The posts of Secretaries and Joint Secretaries will presumably be reserved under section 246 (2) and appointments to them will be made by him in the exercise of his individual judgment, while section 17 (4) of the Act recognises the most important principle that a Secretary is a Secretary to Government, not the personal Secretary of a Minister. When one remembers the many special responsibilities of the highest importance which the Governor General may have to discharge, it may be, at variance with his Ministers, this matter of extensions becomes relatively insignificant as a possible source of disagreement. I do not agree that "the Governor-General will be bound to have regard to the wishes of the particular Minister concerned".

6. Again, I doubt if it can be said of Secretaries in the past that they have subordinated their judgment to their personal interests, and, be it observed, the temptations to do so have been in the past exactly what they will be in the future, or rather greater since extensions have been granted in the past for reasons which I would not admit hereafter. Why then assume so serious a deterioration in the future or an attitude on the part of future Ministers which will be hostile to any man of independent outlook and will usually, *ex-hypothesi*, be unsound? Moreover, assuming either tendency to exist, it is not only, or even most markedly, in connection with extensions that there is a risk of its manifesting itself. There are other appointments to which a Secretary may aspire. Surely if an officer is disposed improperly to curry favour the expectation of promotion is a powerful lure. Again Honours are an attractive bait. Of course these are in the gift of the Governor-General or the Crown, and although popularity with the Ministry will doubtless be no handicap, a Secretary might find himself in the quandary of either having to play up to the Governor-General in the hope of another post or to his Minister in the hope of an extension. But, presumably, an officer so amenable to these influences as my Colleagues envisage will solve the difficulty somehow. Given human nature, as it is, it can never, of course, be guaranteed that weaknesses will be eliminated, but it seems to me unwise in the hope of avoiding one possible temptation to incur more serious risks.

7 The reasons which weigh with me in urging the retention of a tenure in these posts are, briefly, that—

- (i) after a certain term of office and age the ordinary officer will not prove to be an efficient and energetic Secretary. We had ample testimony to the strain entailed by these appointments; I can corroborate it from personal experience. The Government of India hitherto have not experimented to any extent with officers of over 30 years' service as Secretaries, and I very much doubt the success of this innovation. The relief afforded by promotion, as has happened in the past, to a Membership of Council or Governorship is immense. I do not believe that the ordinary keen officer will stand the racket for longer than a reasonable term, in the not very stimulating atmosphere of Delhi or Simla; he will work himself out and go, but there is a danger of a type of man coming to the fore, who, it may be, disappointed for one

reason or another or of diminishing mental activity, will be content to slack or throw his responsibilities upon others, remaining quietly in a highly paid appointment till the end of his tenure and growing increasingly out of touch with realities. If we are to assume that it will be difficult to refuse an extension, it will be practically impossible to dislodge an officer who has given no marked cause of offence. It is easy to slack and yet to avoid disaster, and most of us who have served for any time in India know well the man who is really played out but who still hangs on. My Colleagues favour the innovation of taking, in the case of the Indian Civil Service, the power compulsorily to retire an officer at the end of his minimum service for pension (25 years) without giving any reasons. I can imagine no more powerful weapon to place in the hands of a Minister who wishes to bring a too independently minded Secretary to book, since we are presumably to assume here also, on my Colleagues' theory, that the Governor-General will "be bound to have regard in a matter of this kind to the wishes of the particular Minister concerned". If the Secretary of State were to intervene it would, of course, make the relations between Minister and Secretary impossible:

- (ii) the expectation of appointment to a Secretaryship under the Government of India is legitimately prized by the Indian Civil Service, and materially to reduce the prospects of many of them of attaining it would undoubtedly arouse resentment. At a moment when the attractions of the Indian Civil Service are scarcely as great as they were, it seems inopportune to add another grievance. It is easy to say that the interests of the State must prevail over those of the Service. But it is to the interest of the State to have an efficient and contented Service, and I have argued that a marked change in this respect is not necessarily to the interest of the State at all. Again capable, competent and keen officers are to be found at all stages of service. It is in every way advantageous to utilise their services by bringing in fresh blood at reasonable intervals, rather than disappointing them in favour of their more lucky seniors. If the existing system of tenures were abrogated in respect of the present Secretaries to the Government of India, it would mean (excluding the Foreign and Political and Legislative Departments) that they might remain for 3, 7, 12 (in two cases), 14 and 15 years respectively. The present Joint Secretaries might similarly remain for 9, 10, 11, 14 and 19 years respectively. The consequent possible block in promotion is obvious. However capable a Deputy or Joint Secretary may show himself, it is easily conceivable that his chances of ever reaching the grade of Secretary will be seriously prejudiced. My Colleagues reply that they would not necessarily bring all the existing Secretaries and Joint Secretaries on to the new system which they propose. Apart from the fact that it will be a somewhat delicate task to differentiate between them and in favour of new men, if the existing staff is to

complete their present terms in uncertainty whether they will then be retained or told to go, it can scarcely conduce to the smooth working of the Secretariat and will certainly offer the very temptation of the "extensible" tenure which my Colleagues seek to avoid.

8. In this respect analogies drawn from the Home Civil Service are apt to be misleading. In England the strength of the administrative class (recruited normally at the same examination as the Indian Civil Service) is approximately three-fourths of the whole strength of the latter. It affords a self-contained secretariat career, enjoyable in more or less uniform conditions and offering in itself a reasonable range of promotion to all. But secretariat work is only one aspect of the duties of the Indian Civil Service which vary greatly in attractiveness. Jealousy will be inevitable if the chief plums are to be reserved in great measure for the favoured few. Clearly, too, the conditions of work in England are far less conducive to staleness and exhaustion than in India.

9. My Colleagues seek to meet these objections by the argument that, in practice, Secretaries will not get tired or unduly block promotion because, in fact, some will not stay on for 35 years and others will get other posts. I have agreed that the keen man will very likely not serve indefinitely in the Secretariat: my apprehension is that the slacker may, if he has the chance, and such a man is scarcely likely to be influenced by "hints" to retire. Again if a more permanent superior Secretariat is never likely to be achieved, why in the hope of doing so incur the risks attendant on the disappearance of tenures? And if it is true that in the ordinary course of events Secretaries will seldom wish, or need, to serve for a protracted period, then the overwhelming temptation to wangle an extension rather than retire or revert will not be experienced. I think, however, that the opportunities of promotion are over estimated. Certainly two of the higher posts (the Auditor-Generalship and Financial Advisership) can only go to men of financial training, and the latter is more likely than not to go to a man from Home. While, too, experience in the Secretariat at the Centre will doubtless be a noticeable qualification for appointment to a Counsellorship or Governorship, it can hardly be assumed that such promotion will be limited to this field, and although there have been exceptions, it is the normal practice that the Governor of a province is selected from among those who have served in it. It does not follow that a suitable province will always be vacant when a senior Secretary is desirous of it; neither will the highly specialised training which certain departments call for, and which we would seek to afford, necessarily fit a man to be the Head of a province. But to the extent to which these higher appointments are available, I have already observed that, if my Colleagues' fears are justified, they too may undermine the morale of the Secretariat. As regards the argument that the Service will find compensation in the fact that under an enlarged Federal Ministry more Secretaryships and possibly one or two new high appointments will be available, I question whether this will be the case to any marked extent. The existing total of 17 Secretaryships and Joint Secretaryships (Appendix X) should suffice to man a larger number of separate departments and the motive of economy will operate against any avoidable increase. Moreover, it is to be remembered that the abolition of 13 Memberships of Council means a serious curtailment of the prospects of promotion.

10. I would only advert briefly to a few other points.

It is not essential in order to secure effective knowledge of the work of a department that an officer should remain for an unduly protracted time in it. Doubtless the English system is able to achieve this by continuity in the superior personnel; the Indian system seeks, and attains, the same end by a more elaborate system of noting and record. In this connection paras. 6 and 64 of the report of the Llewellyn Smith Committee may be read. It would be impossible to follow the English model unless the superior Secretariat is to be recast upon English lines, which, politically and financially, is difficult. But even granting certain disadvantages of the Indian method, it does ensure that an officer coming newly to a secretariat post can acquaint himself with the history of the cases which come before him. It may mean that for the first six months or so he will have to do considerable reading of old papers, but the difficulty is not insuperable.

11. Again, given the conditions of Indian service, continuity must periodically be disturbed by the requests of officers for leave. This contingency is inevitable.

12. The liability to reversion or retirement on the expiry of a term is no new thing in Indian service. Governors and Members of Council (who cannot revert) have, in some instances, had to retire before completion of 35 years' service. Secretaries have similarly had to retire and in a few cases have reverted. It is well recognised that the officer concerned has enjoyed the amenities of a high appointment and accepted it knowing the conditions attaching to it. The contingency in no way is regarded as a Service grievance, and the contention that the State loses unduly by dispensing with such senior officials turns entirely upon the theory that their retention as Secretaries is expedient, which, beyond a point, I have argued that it is not.

13. On all these grounds I would not depart from the well established practice of appointing Secretaries or Joint Secretaries for a term only, but I would recognise the opinion in favour of a longer tenure and would put it at five years. I would not absolutely debar a Joint Secretary from going on continuously to be a Secretary, since at the former stage he should already have gained the requisite administrative experience, but in that event I would limit his total tenure of both appointments to five years. I would impose the same limit in the event of an officer moving from a Secretaryship in one department to the corresponding post in another, though ordinarily I doubt if the practice is to be commended.

14. Since writing the above I have seen the second note by Sir James Rae of the meaning of which I am not sure. If it merely contemplates the case referred to in the last four lines of para. 23 of the Report, then there is no disagreement. If the expressions "a greater measure of elasticity" and "*reasonable** extension" connote more than this, then my Colleague is perilously near advocating the tenure extensible at option which we all condemn.

H. WHEELER.

* Italics are mine.

ADDENDUM C.

NOTE BY SIR JAMES RAE WITH REFERENCE TO PARAGRAPH 23
OF THE REPORT.

I should prefer to see a greater measure of elasticity as regards the period of service in the specialised departments of Under and Deputy Secretaries.

In the case of the non-specialised departments, these officers will be recruited on the understanding that at the end of their tenure they will ordinarily revert to the province of origin. The Under and Deputy Secretaries in the specialised departments will stand in a different position. They will form part of an expert cadre and the primary consideration in their case will be the provision of the requisite training and experience. A rigid time limit on their period of service as Under and Deputy Secretaries may, on occasions, prove to be an obstacle in this connection. For example, a vacancy in a post of the type to which an officer should next be appointed may not coincide with the termination of his 3 years. I would, therefore, advocate an arrangement which recognises that the 3-year period in the case of the specialised departments is subject to reasonable extension for the purpose of facilitating transfers to other posts available in connection with the expert cadre.

I should like to make it clear that in these observations, I do not contemplate the indefinite retention of officers as Under and Deputy Secretaries.

JAMES RAE.



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APPENDIX I.

Summary of main recommendations.

(i) The staffing of the Government of India Secretariat by officers drawn from the provinces is sound. (Para. 18.)

(ii) The provision in the Indian Civil Service cadre for posts under the Government of India and the deputation reserve should be brought into closer correspondence with the probable demands upon them, and the provincial Indian Civil Service cadres should be restored to an efficient state both in respect of total strength and racial distribution. The Government of India would do well to consider what alternative sources of supply to the Indian Civil Service can be tapped. (Para. 19.)

(iii) It would be a relief to the provincial Indian Civil Service cadres if they could be spared the constant drain upon them (particularly in respect of British officers) by the Foreign and Political Department. (Para. 20.)

(iv) It is not necessary to apply the tenure system to the Foreign and Political, Legislative and Legislative Assembly Departments. (Para. 22.)

(v) In the remaining departments, the tenure of Under and Deputy Secretaries should be 3 years. (Para. 23.)

(vi) On the completion of his tenure, an Under or Deputy Secretary, if serving in the non-specialised departments, namely, Home, Education, Health and Lands, Industries and Labour, Defence and Imperial Council of Agricultural Research should ordinarily revert to his province. (Para. 23.)

(vii) In the specialised departments, namely, Finance and Commerce, an expert cadre is required and should be built up, the two departments being regarded for this purpose on a common footing. An Under or Deputy Secretary in these departments will ordinarily revert to one of the various appointments of a financial or commercial character, and the claims of the Government of India in this connection should have preference. (Para. 23.)

(viii) The retention of the Indian Civil Service element in the Indian Audit and Accounts, Customs and Income-Tax Departments is recommended. (Para. 23.)

(ix) In the event of a province desiring to appoint to a financial post an officer serving with the Central Government, the latter should endeavour to spare him, their own needs, however, having preference. (Para. 23.)

(x) The majority are in favour of officers being appointed to the posts of Joint Secretary and Secretary without a specific limit being placed on their tenure of these posts. The Chairman advocates a tenure of 5 years. (Para. 24.)

(xi) Leave, if granted, during a three year tenure, should be limited to 4 months. Where a tenure is prescribed, any time spent on probation, leave or deputation should be included in it. (Para. 25.)

(xii) The system of maintaining confidential reports of the work of the superior secretariat staff might well be followed uniformly in the provinces where at present the practice varies. (Para. 26.)

(xiii) A more definite and centralised procedure of recruitment to the Government of India should be followed. (Para. 27.)

(xiv) The existing allocation of business among the different departments is, generally speaking, suitable. (Para. 29.)

(xv) Double noting by Secretary and Joint Secretary should be avoided, and the separate responsibilities of each of these officers should be recognised. Below the Secretary and Joint Secretary, there should ordinarily be the intervention of one officer only, whether Deputy, Under or Assistant Secretary. (Para. 31.)

(xvi) Members and, under Federation, Ministers should, if they so desire be provided with the services of an official Private Secretary drawn from the Indian Civil Service of about the standing of an Under Secretary, and the tenure of the appointment should be three years. (Para. 33.)

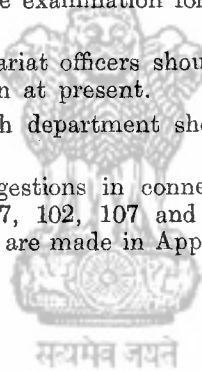
(xvii) Appointments to the posts of Assistant Secretary should be made strictly by selection. They should not be confined to the members of the ministerial service, and other services might be drawn upon for this purpose. (Para. 34.)

(xviii) The standard of examination for divisions I and II of the ministerial service should be raised. The reactions on the examination for division III of any change in the examination for divisions I and II should be examined at the same time. (Para. 36.)

(xix) The superior secretariat officers should pay more attention to the supervision of the office than at present.

Office supervision in each department should be specifically entrusted to a Chief Superintendent. (Para. 38.)

(xx) Certain further suggestions in connection with the recommendations contained in paras. 97, 102, 107 and 108-34 of the report of the Llewellyn Smith Committee are made in Appendix XIV of the Report.



APPENDIX II.

Statement showing the Attached Offices of the Government of India created since 1919.

Office.	Year in which constituted.
Director of Public Information	1920
Indian Stores Department.	1922
Tariff Board	1923
Central Board of Revenue	1925
Public Service Commission	1926
Director of Civil Aviation	1927
Statistical Research Board	1933
Controller of Broadcasting	1935
Agricultural Marketing Adviser	1935



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APPENDIX III.

PART A.

Items of business of the Government of India which obviously remain unaffected by Provincial Autonomy.

COMMERCE DEPARTMENT.

- (i) *Shipping, including ports and the lighting of coasts.
- (ii) Trade and Commerce, including company law, commercial intelligence and statistics and tariffs.
- (iii) Import and export regulations.
- (iv) Exhibitions outside India.
- (v) Life assurance.
- (vi) Actuarial work.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

- (vi) Archæology and Epigraphy.
- (xii) Survey of India.
- (xix) Central agencies for research.
- (xx) Botanical Survey of India.
- (xxi) Zoological Survey of India.
- (xxiii) †Administration of the Indian Emigration Act, Indians overseas, etc.
- (xxv) Imperial Library.
- (xxvi) Local self-government in the Centrally Administered Areas.

FINANCE DEPARTMENT.

- (i) General Finance.
 - (e) Taxation.
- (ii) Customs.
- (iii) Taxes on income.
- (iv) Salt.
- (v) Opium.
- (vi) †Excise.
- (xi) Army Finance.
- (xii) The Military Accounts Department.

* It is possible that under Federation and in order to secure co-ordination, the Federal Government might have to maintain a greater direct control than at present over major ports.

† The separation of Burma is likely to increase work under this head.

‡ It is possible that in future the need will be felt for greater centralisation in the administration of certain excises in which Provincial Governments at present act as agents for the Government of India.

DEPARTMENT OF INDUSTRIES AND LABOUR.

- (iii) Geological Survey of India.
- (iv) The Indian Explosives Act.
- (v) The Indian Petroleum Act.
- (vii) Patents and Designs.
- (viii) Copyright.
- (xii) Inter-provincial migration.
- (xv) International Labour Organisation.
- (xvi) Meteorology.
- (xvii) Post Office.
- (xviii) Telegraphs.
- (xix) Telephones.
- (xv) Wireless telegraphy (subject to section 129, Government of India Act, 1935).
- (xxi) Cables.
- (xxii) Civil aviation.
- (xxvii) Allotment of office accommodation.
- (xxviii) Ecclesiastical.

LEGISLATIVE DEPARTMENT.

- (i), (iii), (v) and (vii) The business of the Indian Legislature.
- (vi) Publication and supply of Acts.
- (vii) Preparation and publication of codes.
- (x) *Unofficial references for opinion from other departments.
- (xi) Duties of the Solicitor to the Government of India.
- (xii) The League of Nations.

IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH DEPARTMENT.

- (i) All business connected with the administration of the Imperial Council of Agricultural Research.
- (ii) Cess imposed by the Indian Lac Cess Act, 1930.

* Probably under the new constitution an increase of work may be anticipated.

PART B.

Notes on the bearing of Provincial Autonomy on the remaining items of Business of the Government of India.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

(i) *Education*.—Education is a provincial subject, but there are certain central institutions, *e.g.*, the Benares Hindu University and the Aligarh Muslim University which will be unaffected by Provincial Autonomy. The Central Advisory Board of Education will also continue. References in connection with the Indian Educational Service will, however, gradually disappear.

(ii) *Oriental languages*.—The Department prescribes rules for examination in Russian and Tibetan—a small item.

(iii) *Records*.—The work is mainly with the Imperial Records Department and will continue.

(iv) *Books and publications*.—The work is mainly in connection with the India Office, High Commissioner, etc., and will continue.

(v) *Reformatory schools*.—This item will disappear.

(vii) *Arts and museums*.—The Indian Museum, Calcutta and two museums at Delhi will remain Central.

(viii) *Medical institutions and the Civil Medical Services*.—The bulk of the work is in connection with the Indian Medical Service, and will continue even though Medical Administration is a provincial subject.

(ix) *Medical research*.—There are certain institutions for Central research.

(x) *Public health*.—The department is concerned with port quarantine and with the prevention of the extension from one unit to another of infectious or contagious diseases or pests affecting men, animals or plants.

(xi) *Land revenue*.—This is provincial subject. Few provincial Bills now come to the Government of India for previous sanction. This small item will disappear.

(xiii) *Land acquisition and alienations*.—This is a provincial subject, but the department has work in connection with New Delhi. Under Provincial Autonomy, the provinces will not refer alienations to the Government of India as at present they do in some cases. The work involved is not great.

(xiv) *Civil Veterinary Department*. (xv) *Agriculture*.—There are certain Central research institutions. References in connection with the existing All-India Services will tend to disappear.

(xvi) *Famine*.—This gives practically no work to the Government of India.

(xvii) *Co-operation*.—Periodical Central conferences are held. The subject is provincial.

(xviii) *Forests*.—There is a Forest Research Institute at Dehra Dun. Forest administration in the Andamans is Central. References in connection with the All-India Forest Service will tend to disappear. The research

institutes under this head as well as heads (ix), (xiv) and (xv) provide the bulk of the work that the department does now. This work will not diminish.

(xxii) *Foodstuffs*.—Will disappear.

(xxiv) *Cinchona cultivation*.—Will disappear.

(xxvii) *Well irrigation*.—Apparently is a meaningless item which gives no work.

FINANCE DEPARTMENT.

(i) *General Finance*.—(a) *the public accounts and estimates*, (b) *the public expenditure*, (c) *the public ways and means* and (d) *the management of the public funds*.—Under Provincial Autonomy provinces will have their own balances and be responsible for their own ways and means. This will add to work in the provinces, but not affect it greatly at the Centre.

(i), (f) *Provincial and local finance*, (g) *the borrowing of public bodies*.—Although Provincial Governments and public bodies will in future have wider borrowing powers than now, it is probable that they will continue to consult the Finance Department.

(vii) *Stamps*.—Although the legal position will in certain respects be altered under the new Act, no appreciable diminution of work is expected.

(viii) *Currency and banking*.—The Reserve Bank will assume certain functions under this head, but mints and coinage will remain unaltered and in respect of paper currency and general policy the Government of India will still be closely interested.

(ix) *Salaries and allowances*.—References from the provinces may be somewhat fewer, but they have already been greatly reduced by previous delegations of authority.

(x) *The Civil Accounts Department and treasuries*.—If provinces took action under section 167 of the Act of 1935, this head would be affected, but it remains to be seen whether they will do so. The Government of India will in future be only concerned with direct treasury administration in Centrally Administered Areas.

DEPARTMENT OF INDUSTRIES AND LABOUR.

(i) *Development of industries (Central aspects)*.—Such aspects as exist at present are likely to continue to do so, e.g., the Bureau of Industrial Intelligence and Research, the Sericultural Committee, the Handloom Weaving Fund and the Industries Conference. There is at present a tendency for general industrial questions of all-India importance to increase.

(ii) *Industrial Exhibitions (Central aspects)*.—This head gives practically no work now, nor is likely to give much in future.

(iii) *The administration of the Indian Mines Act (Mines and minerals)*.—As "Regulation of labour and safety in mines and oilfields" will be Federal, the administration of the Indian Mines Act will not be affected. The regulation of mines and oilfields and mineral development may be declared by Federal law to be a Federal interest, and any measures of coal conservation, for example, would almost certainly have to be Central. The Mining Rules governing the grant of mineral concessions are at present Central and do not involve a large amount of work.

(vi) *Printing and Stationery*.—The Government of India presses will not be affected. The Controller of Stationery now supplies some provinces also; even were this to cease, it would not affect his work in general.

(xiv) *The Indian Factories Act*.—The administration and rule-making power are already provincial, but where Central legislation has been necessary in the past, it is likely to be so in the future.

(x) *Legislation relating to steam boilers*. (xi) *Legislation on the subject of electricity*.—Administration is at present provincial, though the rules are Central. No change is expected.

(xiii) *Stores*.—At present the Chief Controller of Stores makes purchases for the provinces other than the United Provinces. This practice might cease, though it is perhaps unlikely. Even if it did, the work of the Government of India (by far the greater part, since the provincial work constitutes less than 5 per cent. of the Stores Department's purchases) would continue.

(xiv) *Labour legislation*.—As in the past, Central legislation is probable.

(xxiii) *Civil buildings*.—The Central Public Works Department will continue and may extend as regards Government of India buildings in the provinces.

(xxiv) *Communications*.—The administration of the tax on petrol through the Standing Committee on Roads and the Consulting Engineer (Roads) will presumably continue.

(xxv) *Irrigation and canals*.—The Central Board of Irrigation and Bureau of Irrigation will presumably continue. Work may be reduced to the extent that provinces in future sanction their own major projects.

(xxvi) *Miscellaneous Public Works*.—Cases relating to the disappearing Indian Service of Engineers will tend to disappear also.

LEGISLATIVE DEPARTMENT.

(ii) *Legislation in local Councils*.—Under the new Act there will be a substantial reduction in the provincial Bills submitted to the Government of India.

(iv) *Rules for the conduct of business in local Councils*.—This business will disappear under Provincial Autonomy.

(ix) *Indian Law Reports*.—This entry is already obsolete, the work having been provincialised for some time.

(xiii) *The Peace Treaties*.—Already a disappearing item.

PART C.

HOME DEPARTMENT.

The work of the Home Department can most conveniently be dealt with under the six sections into which the office is divided and which are enumerated below.

Political.—The main concern of this section is what may be generally described as internal politics, including such matters as the general policy of Government in regard to all-India organisations and movements of a political nature, *e.g.*, such movements as terrorism, communism and civil disobedience. Under the new Act neither the Governor-General in Council in the transition stage nor the Federal Government under Federation will have powers of administrative control over the provinces in regard to these matters, nor will legislation for the control of such movements be exclusively Central. But on the other hand, it will be essential for the Governor-General in Council and later for the Federal Government to have information of what is going on in the provinces in such matters, since political activities in the provinces may not only have reactions in the Centrally Administered Areas but may also have an important bearing on the administration of Central subjects, such, for example, as Posts and Telegraphs, Railways, etc. It will also be essential for the Governor-General to have such information in order to enable him to discharge his special responsibility, especially his responsibility for the prevention of any grave menace to the peace or tranquillity of any part of the country. The most convenient arrangement in the transition period generally would be for the Home Department to continue to handle these questions and to keep the Governor-General fully informed of the general internal political situation, the main change being only in the channel of communication, namely, as between Governor-General and Provincial Governors instead of as between the Home Department and a Secretary to a local Government.

This section also deals with questions relating to the control of the press and of printing presses. In the new constitution the administration of this subject lies with the provinces, and legislation may be either provincial or Central. To the extent that the Central Government endeavours to maintain such press legislation as it considers necessary on a uniform basis, it will doubtless continue to keep a careful watch on the press, even though it has no administrative control outside the Centrally Administered Areas.

The section also exercises administrative control over the office of the Director of Public Information and deals generally with Government publicity arrangements, which are becoming of increasing importance.

A matter of minor importance dealt with in the section is the control of dramatic performances and cinemas. Under the new Act the control of dramatic performances and cinemas, excluding the censorship of films, will be a provincial subject. Censorship is included in Part II of the concurrent legislative list and will therefore be a subject over which the Centre will exercise administrative control. Most of the work of the section under this head is at present concerned with matters relating to censorship, and no reduction of that work is to be expected.

Establishments.—In so far as the work relates to office establishments, the introduction of provincial autonomy will not reduce it, since the establishments with which the section deals are those of the offices of the Central Government, such as the Secretariat and offices in Centrally Administered Areas. The transfer of administrative control over Ajmer-Merwara to the Home Department will, on the other hand, involve some increase. In relation to Central Services the work consists partly in advising other departments on service cases and partly in dealing with matters of common interests to all services, *e.g.*, communal representation, and no reduction is to be expected. The Public Service Commission is under the administrative control of the Home Department, and here again there will be no change.

At present the All-India Services are a Central subject (item 40 of Part I of Schedule I of the Devolution Rules). The control over each individual service is exercised by that department of the Government of India which deals with the branch of administration which the service serves. Thus the Home Department deals with the Indian Civil Service and the Indian Police, the Education, Health and Lands Department deals with the Indian Forest Service, the Indian Educational Service, the Indian Agricultural Service, etc., and the Industries and Labour Department with the Indian Service of Engineers. But most matters which are common to all these services, for example, rules regulating premature retirement, passage regulations, etc., are dealt with in the Home Department. The position created by the Act appears to be that while the Secretary of State will have the ultimate control, will make appointments to, and determine the strength of, the services and regulate all important conditions of service, the Federal Government and the Provincial Government will exercise day to day control over members of the services serving respectively in connection with the affairs of the Federation and the affairs of the province, subject to the exercise by the Governor-General and the Governor, as the case may be, of his individual judgment in certain specified matters. Many service questions arising in a province, *e.g.*, amendments of rules governing the conditions of service, reduction in the number of reserved posts and possibly disciplinary cases will, however, be cases in which the Governor has a special responsibility for safeguarding the interests of the service under section 52(c) of the Government of India Act, and he will therefore be subject to the control and superintendence of the Governor-General in his discretion as provided in section 54. Moreover, it would be highly inconvenient to deprive the Secretary of State of the co-ordinating influence and wider outlook which can only be supplied by the Governor-General. We assume, therefore, that correspondence between the Provincial Governments and the Secretary of State relating to the All-India Services in general or to individual members of these services will be submitted through the Governor-General, who would forward it with his recommendation, and in these matters he would naturally seek the advice of the Home Department.

Public.—The section deals with a wide range of miscellaneous subjects. Before the creation of a separate Reforms Office, it dealt with all questions connected with the structure of the constitution. The Reforms Office is only on a temporary basis. When it is no longer necessary, constitutional questions will again be dealt with in the Home Department. For example, the department would then have to deal not only with the

preparation and amendment of many Orders in Council which might not be the specific concern of any particular department, but also with general questions affecting the constitution coming up before the Federal Court. Further such matters as the Rules of Executive Business and Secretariat Procedure are within the Home Department's range. It also deals with all matters connected with appointments, pay, allowances and leave of the Governor-General, Governors and Members of Executive Councils. The work under this head will decrease to some extent when there cease to be Members of Council in the provinces, but all questions connected with the pay, privileges, etc., of Counsellors of the Federal Government will presumably remain. Other heads are the furnishing of Government Houses, the Warrant of Precedence, the Government Servants' Conduct Rules, the naturalization of aliens, the grant of compassionate allowances based on mutiny services, the repatriation of Indians from abroad, the acceptance by Government servants of private employment in Indian States, and a large number of smaller cases including those connected with the memorial rules, the regulation of ceremonial, uniforms and flags, the recognition of associations of Government servants, the grant of certain medals, the fixing of Government holidays and the holding of the decennial census. This wide range of subjects is essentially Central and neither the introduction of provincial autonomy nor later of Federation is likely to result in any decrease of work.

Police.—The subjects which generally occupy most of the time of this section are questions relating to (i) the Indian Police, (ii) the Central Intelligence Bureau, (iii) Railway police organization, (iv) the Police force in Centrally Administered Areas, (v) the administration of the Arms Act and Rules and (vi) awards of Police medals.

(i) has already been dealt with under the head 'Establishments'. There will be no change in the constitutional position in regard to (ii). (iv), (v) and (vi), but the transfer of Ajmer-Merwara to the Home Department will involve some increase of work under (iv) and any expansion of the work of the central organisation will tend to some increase under (ii). Railway Police organisation other than the watch and ward staff which is under the Railway Administration, is at present provincial and under the new Act as it stands at present will remain so. Neither the Governor-General in Council nor the Federal Government will have any general power of superintendence, direction and control, and the Governor-General acting in his discretion [*vide* section 187 (3)] will only be brought in to solve differences which may arise between the Federal Railway Authority and Provincial Governments in regard to the allocation of cost.

Judicial.—The bulk of the work of this section may be grouped under the following main heads: (i) Legislation, (ii) High Courts, (iii) Law Officers and (iv) death sentences.

Cases dealing with legislation are numerous. So far as Central Legislation is concerned, the position will remain much as at present. Civil law, including laws regarding status, property, civil rights and liabilities and civil procedure is at present a Central subject, and under the new Act the various branches of civil law are included in Part I of the concurrent legislative list. The same applies to criminal law and criminal procedure. Government measures dealing with these matters are initiated and handled throughout in this section. All private Bills dealing with these matters have also to be examined, and the Government attitude in

regard to them has to be decided. This branch of work is not likely to decrease. On the contrary it may tend to increase. In the sphere of provincial legislation, on the other hand, there is certain to be some decrease. Under the present Act any Bill which affects either civil law or criminal law, and few Bills affect neither, requires the previous sanction of the Governor-General before introduction. Every provincial Bill which affects either civil law or criminal law comes to this section for consideration of the advice in regard to sanction to be given by the Governor-General. Under the new Act the section will be relieved of this work.

Work in connection with High Courts is not likely to decrease. In future the department will be relieved of work connected with the establishment of the Calcutta High Court. But in the case of other High Courts, and these in future will include the new courts of Nagpur and Karachi and the Judicial Commissioner's Court in the North-West Frontier Province, it will be required to advise the Governor-General in the exercise of his discretionary powers in respect to not only permanent and additional but also acting appointments. This will involve an appreciable increase of work. Work connected with the High Court Judges' rules will continue as at present. A new item will be all cases connected with the Federal Court. Any reduction in work resulting from the transfer of the Calcutta High Court establishment to provincial control is therefore likely to be more than counterbalanced by increases under other items.

Law Officers.—This section deals at present with all references relating to the Advocate-General, Bengal, Standing Counsel, Bengal, and the Government Solicitor, Bengal, whom the Government of India share in common with the Government of Bengal. In future, there will be an Advocate-General of India appointed by the Governor-General exercising his individual judgment under section 16 of the new Act, and it is proposed to have a separate Government Solicitor in Calcutta. These changes will have no appreciable effect on the work of the section.

Death sentences.—On an average about 700 petitions for mercy from prisoners condemned to death are received each year. It is anticipated that the separation of Burma will cause an annual drop of some 100 cases. The Governor-General will under section 295 of the new Act have to deal with these cases in his discretion, which will involve the submission of all cases to him, and presumably, during the transitional period at any rate, this will be done through the Home Department.

Jails.—The main heads of business are the administration of the Andaman and Nicobar Islands, jails and lunacy and lunatic asylums.

The Andaman and Nicobar Islands will remain a Centrally Administered Area, and no decrease of work under this head is to be expected. The position under the new Act will be that the Central Government will have no control over jails in the provinces and will be able to legislate on jail matters generally only for the Centrally Administered Areas, though in regard to the one specific matter of inter-unit transfers it will be able to legislate for the whole of India. The main concern of the section in the future so far as jails are concerned will therefore be with the jails (including the detention camp at Deoli, as long as it continues to exist) in the Centrally Administered Areas, namely, the Andamans, Delhi, Coorg and Ajmer-Merwara; in as much its concern with provincial jail administration has for many years been practically confined to the direction of policy on only a few matters such as the classification and treatment of prisoners,

the segregation of terrorist prisoners and the treatment of hunger-strikes, and as the Central Government will have to continue to direct policy not only in these but in all matters in Centrally Administered Areas, this change will not affect the work of the section to any considerable extent. Provincial Governments are at present required to employ a certain number of Indian Medical Service officers as Jail Superintendents. That requirement will ultimately disappear, but for some time to come Indian Medical Service officers will continue to be appointed, and any decrease of work under this head will be gradual.

In the new Act Lunacy, including places for the reception and treatment of lunatics which is at present a provincial transferred subject, is included in Part I of List III of the Seventh Schedule, and the Ranchi European Hospital is in List I of the same Schedule. There will therefore be no material change under this head, except that the Central Government's interest in the Ranchi Hospital will become more direct.

The activities of the League of Nations in regard to such matters as the treatment of prisoners, child welfare and the protection of women and children have in recent years shown a distinct tendency to increase the work of this section in the shape of demands for information which can only be supplied by references to all provincial Governments, and even in some cases to Indian States, and thereafter by some collation of the replies.



APPENDIX IV.

Statement showing the posts under the Government of India ordinarily held by members of the Indian Civil Service.

I.—TENURE POSTS.

No. of posts.	Designation.	Pay.†	Period of tenure.	Remarks.
3*	Members of Council .	Rs 6,666 . . .	5 years.	
3		Home Department.		
1*	Secretary . . .	4,000 . . .	4 years.	
1*	Joint Secretary . .	3,000 . . .	3 years.	
1	Ditto . . .	3,000 . . .	3 years.	
1*	(temporary). Deputy Secretary .	Grade pay in the senior time scale plus special pay 400, subject to a maximum of Rs. 2,250.	3 years.	
1	Ditto . . .	Ditto . . .	3 years.	
1	(temporary) Under Secretary .	Grade pay in the junior time scale plus special pay 300.	3 years.	
1*	Chief Commissioner, Andaman and Nicobar Islands.	3,000 . . .	3 years.	
1*	Deputy Commissioner, Andaman and Nicobar Islands.	Grade pay in senior time scale plus special pay 150, subject to a maximum of Rs. 1,850.	3 years	Not at present held by a member of the I.C.S.
1*	Chief Commissioner, Delhi.	3,000 . . .	5 years.	
1*	Deputy Commissioner, Delhi.	Grade pay in senior time scale plus special pay 150.	3 years.	
1	Member, Public Service Commission.	3,500 . . .	5 years.	
1	Secretary, Public Service Commission.	Grade pay in the senior time scale of pay plus special pay 400, subject to a maximum of Rs. 2,250	5 years	The post has once been held by a member of I.C.S. and twice by a member of I. E. S. The present incumbent is not an I.C.S. officer.
1	Private Secretary to the Governor-General.	Grade pay in the senior time scale plus special pay 250.	The appointment is made at the discretion of His Excellency.	The present incumbent is not an I.C.S. officer.
13				

† Overseas pay has been omitted throughout.

No. of posts.	Designation.	Pay.	Period of tenure.	Remarks.
		<i>Finance Department.</i> Rs.		
1*	Secretary . . .	4,000 . . .	4 years.	
1*	Deputy Secretary . .	Grade pay in the senior time scale <i>plus</i> special pay 400, subject to a maximum of Rs. 2,250.	3 years.	
1	Under Secretary . .	Grade pay in the junior time scale <i>plus</i> special pay 300.	3 years.	
1	Ditto . . .	Ditto . . .	3 years.	
2	Members, Central Board of Revenue.	3,500 (May be raised to 3,750 after expiry of normal tenure).	4 years.	
1	Secretary, Central Board of Revenue.	Grade pay in the senior time scale <i>plus</i> special pay Rs. 300, subject to a maximum of Rs. 2,150.	3 years.	
1	Commissioner, Northern India Salt Revenue.	Grade pay in the senior time scale <i>plus</i> special pay Rs. 200.	5 years.	
2*	Collector of Customs	2,250—100—2,750 . (One selection post Rs. 3,000).	Recently made tenure posts for 3 years.	
3	Assistant Collectors of Customs	Senior or junior time scale of pay <i>plus</i> special pay Rs. 200.	Recently made tenure posts for 3 years.	
1*	Financial Adviser, Military Finance.	3,250 . . .	4 years.	
1	Financial Commissioner, Railways.	4,000 . . .	5 years . .	The present incumbent is not an I.C.S. officer.
15				

Department of Education, Health and Lands.

1*	Secretary . . .	4,000 . . .	4 years.	
1	Joint Secretary (temporary).	3,000 . . .	3 years.	
1*	Deputy Secretary . .	Grade pay in senior time scale <i>plus</i> special pay 400, subject to a maximum of Rs. 2,250.	3 years.	
1	Ditto . . .	Ditto . . .	3 years.	

No. of posts.	Designation.	Pay.	Period. of tenure.	Remarks.
Department of Education, Health and Lands—contd.				
		Rs.		
	Under Secretary .	Grade pay in junior time scale <i>plus</i> special pay 300.	3 years	In abeyance.
1	Secretary to the Agent-General for India in the Union of South Africa (temporary).	Grade pay in senior or junior time scale <i>plus</i> special pay 300.	3 years.	
1	Agent to the Government of India in Ceylon (temporary).	Ditto . .	3 years.	
7				
Commerce Department.				
1*	Secretary . . .	4,000 . . .	4 years.	
1	Joint Secretary (temporary).	3,000 . . .	3 years.	
1*	Deputy Secretary .	Grade pay in the senior time scale <i>plus</i> special pay 400, subject to a maximum of 2,250.	3 years.	
1	Deputy High Commissioner for India.	£1,800—40—2,000 per annum.	5 years.	
1	Indian Trade Commissioner, Hamburg.	£1,000—50—1,500 per annum.	5 years.	
1	Deputy Indian Trade Commissioner, London.	Deputation pay regulated under Fundamental Rule 51.	3 years.	
1	Secretary, Public Department, High Commissioner's Office, London.			
1	Secretary, Indian Tariff Board (temporary).	Grade pay in junior time scale <i>plus</i> special pay 300.	Period not specified as the post is temporary.	
8				
Department of Industries and Labour.				
1*	Secretary . . .	4,000 . . .	4 years.	
1	Joint Secretary (temporary).	3,000 . . .	3 years.	
1*	Deputy Secretary .	Grade pay in senior time scale <i>plus</i> special pay 400, subject to a maximum of Rs. 2,250.	3 years.	

No. of posts.	Designation.	Pay.	Period of tenure.	Remarks.
Department of Industries and Labour—contd.				
		Rs.		
1	Under Secretary	Grade pay in junior time scale <i>plus</i> special pay 300.	3 years.	
1	Director-General, Posts and Telegraphs.	3,500—100—4,000	5 years.	
1	Senior Deputy Director-General, Posts and Telegraphs.	2,250—100—2,750 <i>plus</i> special pay Rs. 250.	4 years.	
1	Controller of Emigrant Labour.	Grade pay in senior time scale <i>plus</i> special pay Rs. 300.	Period not specified.	
7				
Legislative Department.				
1*	Secretary	4,000	5 years. Extensible for a further period of 5 years.	
1*	Deputy Secretary	Grade pay in senior time scale <i>plus</i> special pay Rs. 400, subject to a maximum of Rs. 2,250.	4 years.	
2				
Defence Department.				
1	Secretary	4,000	4 years.	
1	Deputy Secretary	Grade pay in senior time scale <i>plus</i> special pay 400, subject to a maximum of Rs. 2,250.	3 years.	The post is at present held by an Army Officer.
1	Under Secretary	Grade pay in junior time scale <i>plus</i> special pay Rs. 300.	3 years.	
3				
Department of Imperial Council of Agricultural Research.				
1	Secretary	Grade pay in senior time scale <i>plus</i> special pay 300, subject to a maximum of Rs. 2,150.	3 years.	
1				

*Superior posts borne on the cadre of the Indian Civil Service.

NOTE.—The total number of tenure posts is 59 of which 49 are superior posts and the remaining inferior. Of the 49 superior and 10 inferior posts, 8 and 2 respectively are temporary. One inferior post is in abeyance at present. 5 out of 49 superior posts are not at present held by the officers of the I. C. S.

II.—NON-TENURE POSTS.

No. of posts.	Designation.	Pay.	Remarks.
		Rs.	
	<i>Finance Department.</i>		
1*	Auditor-General	5,000.	
1	Deputy Auditor-General .	3,500.	
4	Commissioners of Income-Tax—		
	1 Bengal	2,250—100—2,750 <i>plus</i> special pay 250.	
	1 Burma	2,250—100—2,750 <i>plus</i> special pay 200.	
	2 Madras and Punjab . .	2,250—100—2,750.	
1	Assistant Commissioner of Income-Tax.	Grade pay in senior time scale <i>plus</i> special pay 200, subject to a maxi- mum of Rs. 1,750.	
1*	Controller of Currency . .	3,000—125—3,500 . . .	Not held at present by an I. C. S. officer.
1*	Accountant-General	3,000	} Only one post held by a member of I.C.S.
2*	Accountants-General	2,250—100—2,750	
4	Posts in Class I of the General List of the Indian Audit and Accounts Service.	Senior or junior time scale of pay <i>plus</i> special pay Rs. 200.	None held at present by members of the I. C. S. owing to the decision not to recruit I. C. S. officers to the Indian Audit and Accounts Service.
	<i>Legislative Department.</i>		
1*	Joint Secretary	3,000—100—4,000. If the officer is of non-Asiatic domicile; 3,000, 3,000, 3,200—100—4,000.	
	<i>Department of Industries and Labour.</i>		
1	Postmaster-General	2,250—100—2,750.	
	<i>Foreign and Political Department.</i>		
29*	Superior posts in the Foreign and Political Department borne on the cadre of the Indian Civil Service including one Secretaryship.		In 1935, 33 Indian Civil Service officers were hold- ing superior posts in the Foreign and Political Depart- ment. 13 officers are at present hold- ing inferior posts.

*Superior posts borne on the cadre of the Indian Civil Service.

NOTES.

1. The total number of non-tenure posts, excluding the posts in the Foreign and Political Department is 17. Of these 13 are superior posts and 4 inferior. 3 out of 13 superior posts are not at present held by officers of the Indian Civil Service.

2. Taking tenure and non-tenure posts together, excluding the Foreign and Political Department, 54 superior and 9 inferior posts are at present held by officers of the Indian Civil Service.

APPENDIX V.

Statement showing the number of officers of the Indian Civil Service who have retired on proportionate pension since the inception of the scheme up to 30th September 1935.

Year.	Madras.	Bombay.	Bengal.	United Pro- vinces.	Punjab.	Burma.	Bihar and Orissa.	Central Pro- vinces.	Assam.	Total.
1922 . . .	5	3	2	3	3	..	2	..	..	18
1923 . . .	..	..	2	6	1	(a) 1	1	2	..	13
1924 . . .	1	2	3	4	3	(b) 2	3	2	..	20
1925 . . .	4	3	7	..	5	4	..	2	..	25
1926 . . .	4	1	3	3	1	1	1	2	..	16
1927 . . .	1	1	4	1	..	3	..	..	1	11
1928 . . .	1	1	2	..	1	..	..	1	1	7
1929 . . .	..	3	..	3	..	2	4	..	..	12
1930 . . .	..	..	1	1	1	1	..	..	1	5
1931 . . .	..	2	4	3	..	3	..	..	..	12
1932 . . .	2	3	..	1	1	1	..	1	1	10
1933 . . .	1	1	1	..	1	..	2	1	1	8
1934 . . .	1	..	1	..	1	1	..	1	1	6
1935 . . .	3	..	..	..	..	1	..	..	..	4
Total . . .	23	20	30	25	18	20	13	12	6	167
Sanctioned strength of cadre on 1st April 1935.	170	140	176	195	146	158	108	77	41	1,211

(a) Excluding 3 military officers of the Burma Commission.

(b) Excluding 1 Military Officer of the Burma Commission.

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APPENDIX VI.

Statement showing the recruitment to the Indian Civil Service since 1914.

Year.	Theoretical recruitment.	Actual recruitment.		Recruitment made by			
				Examination.		Nomination.	
		British.	Indian.	British.	Indian.	British.	Indian.
1914	47	46	7	46	7	..	..
1915	52	11	3	11	1	..	2
1916	51	4	5	4	2	..	3
1917	46	2	4	2	3	..	1
1918	44	..	9	..	9	..	..
1919	42	62	39	..	5	(a)62	34
1920	42	44	6	..	6	(a)44	..
1921	61	30	25	3	13	(a)27	12(d)
1922	43	9	24	6	19	(a)3	5(b)
1923	45	21	15	7	13	(a)14	2
1924	45*	3	15	3	13	..	(1 Burmans) 2
1925	56	21	29	21	23	..	6
1926		64	29	29	20	..	(2 Burmans) 7
1926-27	70	37	36	37	27	..	(4 Burmans) 9
1927-28	68	36	36	36	30	..	(4 Burmans) 6
1928-29	72	35	31	35	25	..	6
1929-30	68	25	43	25	41	..	2
1930-31	66	24	22	24	18	..	4
1931-32	62	14	23	14	23	..	..
1932-33	65	17	27	17	25	..	2
1933-34	42	13	(c)22	13	20	..	2
1934-35	46	5	26	5	26	..	..
1935-36					(2 Burmans))		
Total	1,197	488	474	338	369	150	105
		962			(24 Burmans)		(11 Burmans)

(a) Service candidates.

(b) Includes one service candidate.

(c) Including one Anglo-Indian of non-Asiatic domicile.

* No calculations were made. The figure for the previous year has therefore been taken.

NOTES.

Although there is a shortage of 235 (1,197—962) recruits on the above figures, the actual deficit at the end of 1936 is estimated to be 80. This is due to the changes in the sanctioned strength of the cadre from time to time, the present sanctioned strength of the cadre being 1,211, as against 1,352 in 1914 and 1,405 in 1921. The sanctioned strength of the cadre was raised in 1921 as a result of the increase in the deputation reserve from 4 per cent. to 7 per cent. and the present reduced strength of the cadre is due to the increase in the number of listed posts in accordance with the recommendations of the Lee Commission, and the abolition of some superior posts.

2. Since 1925-26 the total recruitment made in the London examination of one year and the examinations and nominations in India in the succeeding year have been taken together as forming one recruitment year for the purpose of the calculations for theoretical recruitment. The allotment figures for 1925-26 include the intake from the Allahabad examination of 1925, the London examination of 1925 and the Allahabad examination of 1926.

3. The London examination of 1935 yielded 15 Indians. It is proposed to take 9 Indians on the results of the Delhi examination—3 by competition and 6 by nomination and 2 Burmans on the results of the Rangoon examination.



APPENDIX VII.

Actual as compared with the theoretical distribution of the Indian Civil Service cadre.

Years of service.	Madras.		Bombay.		Bengal.		United Provinces.		Punjab.		Bihar and Orissa.		Central Provinces.		Assam.		Total.	
	Distribution.		Distribution.		Distribution.		Distribution.		Distribution.		Distribution.		Distribution.		Distribution.		Distribution.	
	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.	Theoretical.	Actual.
30 and over	9.0	16	7.3	17	9.8	9	11.0	17	8.3	19	5.8	8	5.0	3	2.0	5	58.2	94
24—29 .	21.4	12	17.4	16	23.4	17	26.0	35	19.8	16	13.8	19	11.8	13	4.9	6	138.5	134
18—23 .	30.5	21	24.7	16	33.2	24	37.1	20	28.2	16	19.6	21	16.8	10	6.9	8	197.0	136
12—17 .	32.6	38	26.4	18	35.5	41	39.5	30	30.2	18	21.2	15	17.9	26	7.5	6	210.8	192
6—11 .	34.3	38	27.8	28	37.3	38	41.7	42	31.6	34	22.1	21	18.9	21	7.8	4	221.5	226
1—5 .	30.2	33	24.4	33	32.8	43	36.7	48	27.9	43	19.5	18	16.6	14	6.9	7	195.0	239
Total .	158.0	158	128.0	128	172.0	172	192.0	192	146.0	146	102.0	102	87.0	87	36.0	36	1021.0	1021

NOTE.—The theoretical distribution has been worked out on the basis of the Indian Civil Service Life and Service Tables compiled by Mr. Meikle in 1919 and on the number of Indian Civil Service officers as shown in the Civil Lists of the United Provinces of 1st May, Madras, Bombay, Bengal and Punjab of 1st July, and Bihar and Orissa, Central Provinces and Assam of 1st October 1935.

APPENDIX VIII.

Details of the tenures in force in provincial Secretariats and the extent to which they are actually observed.

Mudras.—The tenure of Secretaries, Deputy Secretaries and Under Secretaries to Government excluding the Chief Secretary and second Secretary, for whom no tenure is prescribed although in practice the posts are not held for more than four years, is limited to 3 years, the period being calculated with reference to the date from which an officer holds the appointment continuously. A period of 6 months' probation has been prescribed only in respect of the post of Under Secretary. This period is taken into account in calculating tenure. An officer holding a Secretariat post is not ordinarily granted leave during his 3 years' tenure except for very special and urgent reasons. Such leave when granted is not taken into account in calculating tenure. If, however, an incumbent of the post of Secretary or Deputy Secretary takes long leave during his 3 years' tenure, the question whether he should or should not return to the post at the end of the leave is determined on the merits of each case.

The period of the tenure is generally observed. Extensions are only given in exceptional cases and even then for very short periods. Transfers from one department of the Secretariat to another are sometimes made.

Bombay.—The tenure fixed for the posts of Secretary, Deputy Secretary and Under Secretary is three years. Leave taken counts towards the tenure period. Officiating service, unless followed by confirmation without break, does not count towards the tenure period.

The tenures are generally observed in the case of Deputy and Under Secretaries, but an extension of one year is not uncommon for Secretaries and Secretaries are also transferred from one department to another. Cases were mentioned of officers who had served for long periods in the Secretariat.

Bengal.—There is a fixed tenure of 3 years in the case of Secretaries only. This is observed strictly, except in regard to the posts of Chief Secretary and Secretary, Legislative Department. Both leave and officiating service are taken into account in calculating the tenure. Although there is no fixed tenure for the posts of Deputy Secretary and Under Secretary, in practice, Deputy Secretaries do not hold their posts for more than three years and Under Secretaries for much more than two years.

There is no absolute bar to the transfer of officers from one department of the Secretariat to another; in the past various officers have held more than one Secretaryship with intervening periods of other employment. One recent case of direct transfer was noted.

United Provinces.—The rule is that the term of appointment of a Secretary, other than the Chief Secretary, should not exceed three years, and that of a Deputy or Under Secretary two years.

The rule has not been regularly observed, particularly in the case of Secretaries, since extensions have been frequently granted. Secretariat officers are also not infrequently transferred from one department to another without reversion to district work. The Local Government report that this practice during 1918 to 1930 tended to cause the Secretariat to

lose touch with district administration and to be resented by District Officers.

Punjab.—The tenure of Secretaries is limited to a maximum of four years. The tenure of Senior and Junior Secretary to the Financial Commissioners is three years and of Under Secretaries 2 or 2½ years. In calculating tenure, leave and officiating service is taken into account.

Tenures are strictly followed and extensions are only rarely given, but owing to the shortage of senior officers, it has been necessary to transfer officers from one department of the Secretariat to another.

Bihar and Orissa.—There is no fixed period for the tenure of a Secretaryship. The Deputy Secretary in the Legislative Department is a barrister specially recruited for the post and holds it permanently. Under Secretaries are subject to a tenure of three years. As a general rule, however, a Secretary does not serve for a period much in excess of three years, including officiating tenure but not including periods of leave. Since 1920, in the three posts of Chief Secretary, Finance Secretary and Revenue Secretary, no officer served for four years, but four served for a period of between three and four years. One officer held the post of Judicial Secretary for 4½ years and the present holder is likely to remain for over 4 years. In the two Transferred Departments of Local Self-Government and Education, two officers served for about 3½ years, one for 4½ years, and one for 5½ years.

There has been no case of an Under Secretary in the Civil Secretariat serving for the full period of three years. The average period of service is about two years owing to the fact that an Under Secretary becomes eligible for a superior post before he has completed the period of tenure.

Cases have occurred in which an officer serving as a Secretary has been transferred to the post of Secretary in another department, but these have usually been for the purpose of filling a leave vacancy. In most cases Secretaries have reverted to non-secretariat posts before being appointed to another permanent Secretaryship.

Central Provinces.—No limit of tenures is fixed for the posts of Secretary and Under Secretary. It was said that it would be inconvenient to have a tenure system with a small cadre. In actual practice, the post of Secretary is not held by the same officer for more than 3½ to 4½ years and that of Under Secretary for more than 2 to 2½ years. Officers are sometimes transferred from one department to another in the Secretariat, particularly in leave vacancies.

Assam.—There is no fixed tenure either by rule or practice for the posts of Secretary, and it was said that with so small a cadre it would be difficult to observe. Two officers held the post of Chief Secretary for five years, including spells of leave. The tenure of Under Secretary is ordinarily limited to three years. On the whole the rule is observed, but there was one case in recent years where an officer held the post for 4 years. Since 1920, there have been two cases where the Secretary in another department became Chief Secretary. Occasionally for short periods Secretaries and Under Secretaries in one department acted as such in another department.

APPENDIX IX.

(a) *Statement* showing the rates of pay of Secretaries in different provinces.*

Provinces.	Pay of Chief Secretary.	Pay of other Secretaries.
Madras	Rs. 3,750	Rs. 2nd Secretary Rs. 3,000. Other Secretaries. Grade pay (Senior time scale as for Collectors) plus special pay 250. 3,000. 2,750.†
Bombay	3,000	Grade pay in senior time scale plus special pay 250.
Bengal		
United Provinces		
Punjab		
Bihar and Orissa		
Central Provinces	Grade pay in senior time scale plus special pay 400.	Grade pay in senior time scale plus special pay 150.
Assam		

(b) *Statement* showing the highest paid posts in different provinces outside the Secretariat.*

Province.	Designation of post.	Pay.
Madras	Members of Council	Rs. 5,333 1/3
	High Court Judges	4,000
	1st Member, Board of Revenue	3,750
	2nd Member, Board of Revenue	3,500
	3rd Member, Board of Revenue	3,000
	District and Sessions Judge, selection grade	3,000
Bombay	Members of Council	5,333 1/3
	High Court Judges	4,000
	Municipal Commissioner, Bombay	3,500
	Judicial Commissioner, Sind	3,500
	Four Commissioners, 1st grade	3,500 plus special pay of Rs. 500 if Commissioner in Sind.
	One Commissioner, 2nd grade	3,000
Bengal	Members of Council	5,333 1/3
	High Court Judges	4,000
	Member, Board of Revenue	3,750
	Chairman, Calcutta Improvement Trust	3,000
	Commissioners	3,000

* Overseas pay has been omitted throughout.

† There are minor variations relating to the Secretary in the Legislative Department (Bengal and Punjab) and the Judicial Secretary (Bihar and Orissa) which it is needless to detail.

Province.	Designation of post.	Pay.
		Rs.
Bengal . . .	Commissioner, Rajshahi Division . . .	3,000 and special pay 300.
	District and Sessions Judges, selection grade	3,000
	Superintendent and Remembrancer of Legal Affairs . . .	2,750.
	Legal Remembrancer, Assam (when promoted to selection grade of District and Sessions Judges) . . .	3,000
United Provinces .	Members of Council . . .	5,333 1/3
	High Court Judges . . .	4,000
	Chief Judge, Chief Court of Oudh . . .	4,000
	Members, Board of Revenue . . .	3,500
	Judges of the Chief Court of Oudh . . .	3,500
	Commissioners . . .	3,000
	District and Sessions Judges, selection grade	3,000
	Legal Remembrancer (when promoted to selection grade of District and Sessions Judges) . . .	3,000
Punjab . . .	Members of Council . . .	5,000
	High Court Judges . . .	4,000
	Financial Commissioner . . .	3,500
	Commissioners . . .	3,000
	District and Sessions Judges, selection grade	3,000
	Legal Remembrancer and Secretary Legislative Department (when promoted to selection grade of District and Sessions Judges) . . .	3,000
Bihar and Orissa .	Members of Council . . .	5,000
	High Court Judges . . .	4,000
	Member, Board of Revenue . . .	3,500
	Commissioners . . .	3,000
	District and Sessions Judges, selection grade	3,000
	Superintendent and Remembrancer of Legal Affairs and Secretary, Judicial Department (when promoted to selection grade of District and Sessions Judges) . . .	3,000
*Central Provinces	Members of Council . . .	4,000
	Chief Justice, High Court . . .	50,000 per annum.
	Other Judges of the High Court . . .	40,000 " "
	Commissioners . . .	3,000
Assam . . .	Members of Council . . .	3,500
	Commissioners. . .	3,000

* There is a proposal to create on the inauguration of Provincial Autonomy a Board of Revenue consisting of one member on a pay of Rs. 3,500 per mensem.

APPENDIX X.

Number of Secretaries and Joint Secretaries in Departments.

Departments.	Secretaries.	Joint Secretaries
Home	1	2
Finance	1	..
Commerce	1	1
Industries and Labour	1	1
Education, Health and Lands	1	1
Legislative	1	1
Foreign and Political	3	1
Defence	1	..
TOTAL .	10	7

NOTES 1.—The Railway Department, the Imperial Council of Agricultural Research, the Central Board of Revenue and the Military Finance Department are not included. In these four departments there are at present 4 and 4 officers with the status of Secretary and Joint Secretary respectively.

2. One post of Secretary and 5 posts of Joint Secretary are at present temporary



APPENDIX XI.

Method of appointment of Assistant Secretaries in the provinces and the working of the system.

Madras.—There are 11 Assistant Secretaries, of whom 3 are temporary. One is drawn from the Bar; one from the Provincial Civil Service and the rest are promoted ministerial officers. Assistant Secretaries note on pages and are responsible for the general supervision of the office. Both types of Assistant Secretary were stated to be doing well.

Bombay.—There are Assistant Secretaries in all departments, their number at present being 11. The posts of Assistant Secretary are generally filled by promotion from among members of the upper division of the Secretariat establishment, and in exceptional cases by direct recruitment or from the Provincial Civil Service. Of the present Assistant Secretaries, one is a direct recruit, one a Sub-Judge and the rest promoted ministerial officers. Assistant Secretaries are responsible for the general supervision of their respective departments. They also note on fairly well defined matters such as budgets, loans, etc., and in some departments on important cases as well. The local Government considers that it is difficult to obtain by direct recruitment the type of officer required for the post of Assistant Secretary, and that, on the whole, recruitment by promotion is satisfactory and works well in practice in view of the need for officers with experience of departmental work in all its stages. There are no Registrars.

Bengal.—There are 8 Assistant Secretaries, all but one being officers of the Provincial Civil Service. They note on cases and are also supposed to supervise the office, but the view generally held was that supervision of the office tended to be neglected owing to the pressure of case-work. The general opinion of the work of Assistant Secretaries was good. In the Appointment and Finance Departments there are Registrars.

United Provinces.—There are 2 Assistant Secretaries. Both are promoted ministerial officers. They deal with office supervision and establishment cases. Local opinion seemed to be that the Assistant Secretaryships would not be sufficiently attractive to members of the Provincial Civil Service.

Punjab.—There are 2 Assistant Secretaries, both promoted ministerial officers. The Assistant Secretary in the Chief Secretary's branch is responsible for the smooth running of the Secretariat and deals with work relating to the whole menial and ministerial establishment. He is also a disbursing and controlling officer of the Secretariat contingent grant. The Assistant Secretary in the office of the Financial Commissioner deals mainly with stamps and district and divisional establishments.

Bihar and Orissa.—There are 3 Assistant Secretaries who may be either officers of the Provincial Civil Service or promoted from the clerical ranks. At the time of the Committee's visit, the Assistant Secretary, Revenue, was of the latter category and did office routine work. In the Education Department he was a member of the Provincial Civil Service. The same was the case in the Local Self-Government Department, where he noted on cases.

Central Provinces.—There are no Assistant Secretaries. There is a Registrar for the whole Secretariat.

Assam.—There is one Assistant Secretary in the Revenue and Finance Departments. He is a ministerial officer borrowed from the United Provinces Secretariat and both notes on cases and disposes of work. There is one Registrar for the whole Secretariat.

APPENDIX XII.

Constitution and system of recruitment of the Ministerial Services of the Government of India Secretariat.

Superintendents are appointed by selection from among the first division assistants.

First Division.—One half of the vacancies in this division is filled by promotion from the second division. The orders emphasise that promotion should be made strictly by selection from among the most meritorious departmental men, and the remainder by recruitment of external candidates who have been successful at a joint competitive examination for the first and second divisions. Subject to communal representation, vacancies in the two divisions are offered to the candidates in order of merit.

Second Division.—All vacancies in this division are filled by recruitment of candidates who have been successful at the joint competitive examination referred to above. It is open to departments in cases of exceptional merit to promote a member of the third division to the second division, but such promotions are not allowed in more than one out of every five vacancies.

Third Division.—This consists of typists and routine clerks and is recruited wholly by a separate competitive examination.

25 per cent. of the vacancies for direct recruitment in each division are reserved for Moslems and 8 1/3 of vacancies for members of other minority communities.

The educational qualifications for the examination for the first and second divisions is the possession of a University degree or the Cambridge School Certificate "A" or the European High School or School Leaving Certificates of the Education Departments of certain provinces; and for the third division, the Matriculation examination or the Cambridge Junior or certain other equivalent certificates. In addition, candidates for the third division are required to produce a certificate of proficiency in typewriting from a recognised typewriting institution.

To be eligible to appear at the first and second division examination candidates must be over 20 and under 24 years of age. For the third division the age-limits are over 17 and under 24.

The subjects for the three divisions are the same, namely:—

- (a) *Arithmetic.*—The questions are designed to test intelligence, accuracy and rapidity in working.
- (b) *General knowledge.*—Candidates are required to give brief answers to questions concerning current events, common phenomena and matters of every day interest or common knowledge.
- (c) *English composition.*—Candidates are tested in (i) drafting, (ii) precis writing, (iii) correcting mistakes in English, and (iv) proof correcting.

- (d) *Handwriting.*—Candidates are required to copy a passage printed in English. Marks are awarded for accuracy, legibility, neatness and speed. If a candidate is unable to copy the whole of

The examination for the first and second divisions takes place biennially and for the third division annually. These examinations are held at different centres in India.

The function of the Public Service Commission is confined to the holding of examinations and preparing lists of candidates in the order of merit. The postings of successful candidates to departments is settled by the Home Department, who, for this purpose, obtain from other departments annually a forecast of the number of definitely foreseen vacancies to be filled by external candidates, together with a statement of their preference, if any, for candidates of a particular community. The Home Department endeavours to allot to departments candidates of the communities desired by them, in so far as this is possible, having regard to the results of the examinations and the observance of the prescribed communal proportions.



APPENDIX XIII.

Rates of pay admissible to the ministerial staff in the Government of India Secretariat and the Provincial Secretariats.

Rs.

Government of India—

Superintendents . . .	500—20—600.
Assistants . . .	140—10—280 (efficiency bar)—10—310—15—400.

Clerks (second division)—

Men . . .	80—4—120—5—200 (E. B. after 125).
Women . . .	100/3—104/2—108/2—112/2—4—120—5—200 (E. B. after 125).

Clerks (third division)—

Men . . .	60—2—80—3—125 (E. B. after 95).
Women . . .	100/4—104/4—108/4—112/4—116/4—120—5—125 (E. B. after 112).
Stenographers . . .	125—5—180—10—300.

Madras—

Superintendents . . .	175—25/2—200—30/2—260—40/2—300—50/2—350
Upper division clerks . . .	60—10/2—120—15/2—150.
Lower division clerks . . .	} 40—3/2—55—5/2—70.
Typists and steno-typists . . .	

*Bombay—**Upper Division—*

Senior superintendents . . .	400—25—500.
Junior superintendents . . .	275—20—375.
Senior assistants . . .	180—10—200—15—260 (175—15—280 in Legal Department).
Junior assistants . . .	100—5—120—10—220 (E. B. at 170) (100—10—200 in Legal Department).
Stenographers . . .	150—5—250—10—300.

Lower Division—

Clerks higher grade . . .	100—5—160.
Clerks lower grade . . .	50—3—95.
Typists . . .	Typists are generally remunerated on a piece work system.

Bengal—

Upper division . . .	115—20/2—215—25/2—290—20/2—350 (Selection Grade Rs. 375—25—425).
(Senior and junior head assistants receive a special pay of Rs. 85 and Rs. 42/8 respectively)	
Lower division . . .	60—5/2—70—6/2—130 (Selection grade 150—175).

United Province—

Superintendents . . .	300—25—450.
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Superior Service—

Mir Munshi . . .	100—10—300.
Assistants . . .	100—8—180—15—240.

Rs.

Subordinate Service—

Reference clerks . . .	110—8—150.
Assistants . . .	50—2—60—4—100.

Stenographers—

Reporters . . .	200—10—300.
Non-reporters . . .	100—10—200.

Punjab—

Superintendents . . .	350—25—500 (E. B.)—30—650.
Assistants . . .	120—10—300 (E. B. at 200).—
Senior clerks . . .	75—5—150 (E. B. at 100).
Junior clerks . . .	45—3—105 (E. B. at 90).
Senior translators . . .	150—10—250.
Junior translators . . .	75—7—145.
Stenographers . . .	150—10—300 (E. B. at 200).

NOTE.—New scales of pay have not yet been introduced. The rates given above have been temporarily reduced by 15 per cent. for all entrants appointed on or after 1st January 1931.

Bihar and Orissa—

Head assistant . . .	300—15—375.
Upper Division—	
Assistants . . .	125, 170, 210 and 240.
Probationers . . .	85, 105 (second year).

Lower Division—

Assistants . . .	90—5—130.
Assistants . . .	85—5—130.
Assistants (Grade) . . .	50, 55, 65, 75, 85.
Typists . . .	60—5/2—85.
Typists . . .	40—2—60.
Stenographers . . .	100—7—170.

Central Provinces—

Superintendents . . .	250—10—350.
Upper division—	
1st Grade . . .	125—5—150 (E. B.)—10—200.
2nd Grade . . .	60—5—125.
Lower division . . .	40—5—50—3—80 (E. B.)—2—100.
Stenographers . . .	2 posts on 100—5—200—10—250. 6 posts on 100—5—200.

Assam—

Head assistants . . .	300—10—350.
Special grade head assistants . . .	150—10—250—10—300.
Upper division assistants . . .	150—10—200—10—270.
Lower division assistants . . .	60—4—100—5—140.
Stenographers . . .	100—5—200.
Typists . . .	50—5/2—75—5/3—85. (Selection grade 90—5/3—100.)
Routine clerks . . .	30—3—60.

APPENDIX XIV.

The more important recommendations of the Llewellyn Smith Committee regarding Secretariat procedure, indicating the action taken thereon and certain further suggestions by the present Committee.

Para 54.—That in dealing with the recommendations of important special Committees or Commissions of Inquiry, the normal procedure, which should be embodied in the Rules of Business, should be to place a qualified officer of suitable standing on special duty for the purpose of obtaining the necessary decisions of Government thereon, of carrying through the requisite consultations with departments of the Government of India and Provincial Governments, and of seeing that such recommendations as are approved are brought into operation; and that this officer should have as independent a position as possible.

Accepted and inserted in Secretariat Instructions (no. 50).

Resort was had to this procedure on various occasions during the last fifteen years. It is impossible to lay down any hard and fast rule.

Para. 80.—That modifications are required in the organisation and procedure of the office of the Auditor-General.

We understand from the Auditor-General that features in the organisation and procedure of his office leading to avoidable delays have been corrected as far as reasonably possible.

Para. 83.—That the cases coming before Council should be carefully scrutinised, and if it be found that these include cases which ought to be settled by the departments concerned, the appropriate steps should be taken to secure the necessary alteration in practice, and that rule 19 of the Rules of Business should be modified so as to ensure that cases are not brought before Council unnecessarily.

The Rules of Business regulating the procedure in regard to proceedings of the Executive Council have recently been revised.

Paras, 85, 86-87 and 89.—That the procedure in connection with the Executive Council is susceptible of improvement

Paras 91-94.—That references to the Secretary of State on minor financial matters should be reduced in number.

The financial powers of the Government of India and Local Governments have been greatly enhanced and the Auditor-General has been empowered to condone an omission to make a previous reference to the Secretary of State in Council when the failure to obtain the previous sanction of that authority has involved a breach of the letter rather than the spirit of the rule or order. [Rule 16 (2) of the Auditor-General's Rules.]

Para. 95.—That Secretaries should be allowed to communicate more freely with the India Office by letter in place of formal despatches.

Accepted and inserted in Secretariat Instructions (no. 42). The procedure of Secretaries' letters is now well established.

Para. 97.—That reference to the Secretary of State for sanction to expenditure should ordinarily issue from the administrative department concerned.

This is now done, though some relatively unimportant drafts are seen in the Finance Department before issue. We consider that such references should be confined to drafts of major importance.

Paras. 98—100 (a) That deputation of officers to discuss with local Governments and conferences with local Governments should be substituted where possible for correspondence.

These points seem to be adequately borne in mind

(b) That references to local Governments should be confined to those principally concerned and that the latter should only consult selected officers. That a time limit should be fixed for receipt of replies.

Para. 102.—That no case should be referred to another department except with the authority of a Deputy Secretary.

Accepted with the modification empowering an Under Secretary or in departments where there is no Under Secretary, an officer of the rank next below that of Under Secretary, to refer cases to another department [Secretariat Instructions No. 23 (i)]. Actually files of minor importance are referred to other departments by Assistant Secretaries and we think that this practice might ordinarily be made the rule. We were told that the rigidity of the present rule involves delay and throws needless work on higher officers.

Para. 102.—That all departments should consider whether any references to other departments at present required by long standing rules or practice could under modern conditions be dispensed with; for example, a good many minor references to the Finance Department should be obviated if greater financial powers could be given to other departments.

In their resolution on the report, the Government of India stated that this recommendation was accepted and would be acted upon. Conditions have greatly changed since the report of the Llewellyn Smith Committee and we suggest that the possibility of reducing still further the number of inter-departmental references should be further examined.

Para. 107.—That, wherever possible, consultation with other departments should be effected by personal interview between responsible officers of the departments concerned, that the result should be recorded on the file by a note agreed between those officers; and that rule 11 (1) of the Rules of Business should be amended to make it clear that such consultation satisfies its requirements.

Accepted and inserted in Secretariat Instructions (nos. 22 and 14 respectively). Personal discussions do take place between officers at present, but we feel that they might be resorted to more frequently, specially in cases of difference of opinion.

That when a case has been referred to and returned from another department and a difference of opinion between the departments is disclosed, personal discussion should invariably be substituted for further noting; and that in any case where the two Members in charge of the departments agree after personal discussion, the Secretaries should meet and put up a joint note giving the decision, after which there should be no further noting.

Para. 107.—That any file referred to another department should have attached to it a special form, signed by the officer by whose direction it is referred, specifying precisely the points on which the opinion of the other department is sought, or which it is desired to bring to the attention of that department.

Accepted and inserted in Secretariat Instructions [23(2) and 24(1)] with the modification in the case of the first recommendation that the requirement of a special form is waived. In actual practice these recommendations are not strictly observed. Opinions of witnesses before us on the merits of the first proposal were divided, but the

That where it is necessary to consult more than one department on a case, such consultation should take place simultaneously, except when the multiplication of documents to be sent would involve an excessive expenditure of time and labour, or when the occasion for consulting the second department does not arise until the result of consulting some other department is known.

majority considered that the suggestion merely entailed unnecessary work. With this, in most cases, we are disposed to agree, but it is essential that a case should only be referred to another department or to another branch within the same department when there is some definite reason for so doing. The vague order "So and so may first see" is a favourite device for getting rid of a file for the moment and either postponing its proper examination or shifting the burden of work on to another department. Given the conditions prevailing in the Government of India Secretariat we consider that the system of the inter-departmental reference of files is suitable, but we suggest a more rigid observance of Secretariat Instruction no. 24(i) which prescribes simultaneous consultation when it is necessary to consult more than one department or when information from several departments has to be collected. The slow progress of one file through various departments is a common cause of delay. We think it very desirable, further, that all important cases referred to another department and all cases referred for a second time to a department should be referred to an officer by name or designation. This procedure is resorted to at present at times, but it would expedite work if more generally adopted, as the existence of such cases would at once become known to an officer, who could ensure that they were not neglected.

Paras. 108—34.—That the revised Secretariat procedure detailed in Appendix B of the Llewellyn Smith Committee Report be introduced.

The recommendations in this Appendix were accepted subject to a few modifications and inserted in Appendix B of Appendices to Secretariat Instructions. The procedure laid down in that Appendix was first introduced in the Commerce Department and later extended to other departments. The present procedure of departments is substantially the same as that laid down in Appendix B of the Secretariat Instructions. We need only note the following points:—

(i) *Indexing (para. 15 of Appendix B of the Report).*—Our predecessors considered it most important that the main work of indexing should be done at the time of the receipt of correspondence and that there should be available in each branch an index accurate and always up-to-date (para 114 of the report). We find that in some departments this work is not attended to promptly, but every effort should be made to maintain an up-to-date index, and it should be the duty of the Chief Superintendent to ensure that this is done.

(ii) *Numbering of letters. (Para. 24).*—Almost all departments have introduced the system of fixed numbers for cases on which references are received frequently, and in some departments, e.g., the Industries and Labour Department, the numbers have been fixed once for all, and are not changed from year to year. This procedure facilitates referencing, and we suggest that the

system of permanent numbers (possibly with the addition of the year in which the file was started) should be adopted as far as possible. Some departments give, in addition, a separate serial number to all letters issued to the India Office. This seems unnecessary and should be discontinued. The object in view should be to make the reference number as brief as possible, since we were told that the length of some existing numbers adds appreciably to the cost of telegrams.

(iii) *Action by officers on fresh receipts.* (Para. 27).—Official receipts are generally seen by the Assistant Secretary and in certain departments also by the Under and Deputy Secretary. We recognise, however, that it is not possible, except in a limited number of cases, for these officers to dispose or make suggestions for disposing of these receipts or to give instructions to the office as to the scope of the note to be prepared and the extent to which they desire precedents or references to be put up. At the same time it is desirable that they should continue to see receipts on arrival for the purposes indicated above. Moreover the practice enables them to know what references have been received in the department, and also it constitutes a salutary check on delays by the office. Further we consider that all files marked by one department to another should, on receipt in the department concerned, be seen by the branch officer.

(iv) *Printing.* (Para. 54).—There seems to have been an improvement in the editing of notes before printing since 1920, but the evidence before us suggests that there is still scope for more care and Chief Superintendents should pay particular attention to this point.

(v) *Checks on delay.* (Para. 66).—It was decided to continue reminder lists, arrear lists and suspense and await lists. Not all departments maintain every one of these lists and we do not propose to add to their work by insisting on uniformity. It is suggested, however, that each department should satisfy itself that the checks on delay imposed by it are adequate in actual practice.